

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

That completes the calendar.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Tuesday, May 3, 1938, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate Monday, May 2 (legislative day of April 20), 1938

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for promotion in the Foreign Service of the United States, to be effective May 1, 1938, as follows:

From Foreign Service officer of class 7 to Foreign Service officer of class 6:

William W. Butterworth, Jr., of Louisiana.

Warren M. Chase, of Indiana.

Paul C. Daniels, of New York.

Cecil Wayne Gray, of Tennessee.

Gerald Keith, of Illinois.

James S. Moose, Jr., of Arkansas.

Henry S. Villard, of New York.

George H. Winters, of Kansas.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

Burton Y. Berry, of Indiana.

David H. Buffum, of Maine.

Andrew W. Edson, of Connecticut.

George M. Graves, of Vermont.

Charles A. Hutchinson, of Minnesota.

John H. Madonne, of Texas.

James B. Pilcher, of Alabama.

From Foreign Service officer, unclassified, to Foreign Service officer of class 8; and from vice consul of career to consul:

Robert A. Acly, of Massachusetts.

Edward Anderson, Jr., of Florida.

Ralph J. Blake, of Oregon.

Claude B. Chipfield, of Illinois.

Montgomery H. Colladay, of Connecticut.

Charles A. Converse, of Georgia.

Hedley V. Cooke, Jr., of New Jersey.

William S. Farrell, of New York.

Richard S. Huestis, of New York.

George Bliss Lane, of New York.

William E. Scotten, of California.

James H. Wright, of Missouri.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 2 (legislative day of April 20), 1938

COAST GUARD OF THE UNITED STATES

Page R. Loyd to be chief boatswain.

William E. Crapo to be chief boatswain (L).

Miles W. Hopkins to be chief radio electrician.

John R. Cody to be chief machinist.

William E. Shipway to be chief machinist.

James Madole to be chief machinist.

Walter W. Bond to be chief machinist.

Clarence C. Alexander to be chief machinist.

Herman H. Ternau to be chief machinist.

Howard R. Pickering to be chief pay clerk.

POSTMASTERS

CALIFORNIA

Nellie G. Donohoe, Oakland.

COLORADO

Frances M. Parker, Alma.

INDIANA

Myrtle A. Schreiber, New Palestine.

Earl R. Rickard, Pekin.

MINNESOTA

Edward C. Ellertson, Gully.

Arvid J. Lindgren, Orr.

Charles D. Dempsey, St. Peter.

PENNSYLVANIA

Harold Doering, Bethayres.

UTAH

Isaac A. Smoot, Salt Lake City.

WEST VIRGINIA

Julius W. Singleton, Charleston.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 2, 1938

The House was called to order at 12 o'clock noon by Hon. South Trimble, Clerk of the House.

The Clerk read the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 2, 1938.

I hereby designate Hon. SAM RAYBURN to act as Speaker pro tempore today.

W. B. BANKHEAD, Speaker.

Mr. RAYBURN assumed the chair as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal and merciful Father, we thank Thee for the sublime faith that brings men to the mercy seat of prayer. We praise Thee that here we find strength and guidance and are encouraged by the wondrous truth that throughout the ages one increasing purpose runs; may we not fail to discern its significance. Thou wilt yet make the wrath of man to praise Thee. Inspire us each day to drink deeply of the spirit of the Master. Keep our souls strong and clear, recognizing the eternal wisdom of Thy teaching. Almighty God, so abide with us that as time rolls on we shall have a growing determination to invest ourselves in the riches of godliness, in the riches of unselfishness, and in the riches of an influence that shall live on when time and place shall know us no more. In the Savior's name. Bless Thou our Speaker. Give him great peace in mind, body, and soul. Amen.

The Journal of the proceedings of Thursday, April 28, 1938, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 26, 1938:

H. R. 3915. An act conferring jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of the Tidewater Construction Corporation; and

H. R. 6370. An act for the relief of John Calareso, a minor.

On April 27, 1938:

H. R. 5737. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of George W. Hall against the United States; and

H. R. 9544. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1939, and for other purposes.

On April 28, 1938:

H. R. 5338. An act for the relief of George Shade and Vava Shade; and

H. R. 5793. An act for the relief of Nathaniel M. Harvey, as administrator of the estate of Josephine Fontana, deceased.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3898. An act to extend the times for commencing and completing the construction of a bridge across the Piscataqua River at or near Portsmouth, N. H.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7084) entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 477. An act to prevent fraud, deception, or other improper practice in connection with business before the United States Patent Office, and for other purposes.

COMMITTEE ON THE JUDICIARY

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit this afternoon during the sessions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

WAGE AND HOUR BILL

Mr. STACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STACK. Mr. Speaker, I am looking at the Philadelphia Inquirer of Saturday of last week, which has a headline, "House Group Bars Debate on Wage Bill."

I am also looking at a headline which says "Minimum wages decreed in Brazil."

Now, surely to God we are as good as Brazil. I caused to be placed on the Speaker's desk several days ago petition No. 37 to discharge the committee from further consideration of my bill (H. R. 9628) which is the American Federation of Labor bill. I am willing, in order that a bill may be passed here in the House, to substitute the Labor Committee's bill for mine when and if I get the 218 signatures. Now, you friends of labor go up there and sign that petition.

Mr. LUECKE of Michigan. Why did not the gentleman vote for it the first time?

Mr. STACK. It was not a wage and hour bill that was presented here in the House last December but a meaningless gesture to labor which the American Federation of Labor experts on labor legislation opposed, as well as all honest friends of labor. Such a bill as was brought on the floor last December would have increased unemployment in Philadelphia because of the geographical differentials which allowed employers to pay 20 cents an hour in the Southland and 40 cents in Philadelphia for the same kind of labor, thereby causing many factories to leave Philadelphia for the South because of the cheap wages there.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to address the House today for 20 minutes at the conclusion of the legislative program of the day and following the previous special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF CLASSIFIED CIVIL SERVICE TO POSTMASTERS OF THE FIRST, SECOND, AND THIRD CLASSES

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1531) extend-

ing the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman state what that bill is?

Mr. RAMSPECK. It is the bill dealing with the appointment of postmasters which the House passed in January 1937.

Mr. SNELL. Mr. Speaker, on account of the absence of the gentleman from New York [Mr. Bacon], I shall be obliged to object.

Mr. O'CONNOR of New York, from the Committee on Rules, submitted the following resolution (H. Res. 484) providing for the sending to conference of the bill (H. R. 1531) extending the classified service to include postmasters of the first, second, and third classes, and for other purposes:

House Resolution 484

Resolved, That immediately upon the adoption of this resolution the bill H. R. 1531, an act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is, disagreed to and the conference requested by the Senate upon the disagreeing vote of the two Houses be agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILDEBRANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. HILDEBRANDT. Mr. Speaker, tomorrow in South Dakota the Democrat Party is conducting a primary election to determine who shall be its candidates next November. As many of you no doubt know, I am running on the ticket for United States Senator.

This means, of course, that I am retiring permanently from the House of Representatives. Win or lose, my days as an active Member of this Chamber must come to an end.

With this in mind I rise to express a few words of leave taking. It is not an easy thing to do, for I have cultivated many warm friendships and associations since coming to the House.

It has been my good fortune otherwise to have been here in a period of our national life wherein many spectacular pages have been added to the history of our glorious Nation.

Critical years, yes; but memorable ones.

Years in which the forgotten people of the country were made aware of a kind of democracy that has been too little identified with government since the days of Jefferson and Jackson, years of vision, of social progress, years of intense action.

I do not intend here to launch into a eulogy of the New Deal. You do not need to be reassured of my feelings in the matter. I have been a pretty staunch supporter of the administration because I have believed sincerely in the liberal program it has sponsored and initiated.

I am happy to have helped a little in the great strides that have been taken toward a better standard of life for our farmers and laborers. That is the cherished memory I shall take away with me when I leave the House.

On the other hand, I have always endeavored to keep an open mind with respect to the opinions of those Members who sincerely disagree with the motives, objectives, and operations of the New Deal. The right to disagree is the most sacred essence of free speech and the balance wheel of democracy.

On the whole, considering the tension of the times and the many controversial issues which have been before us, I think our relations have been blessed with a commendable quality of restraint.

The one most responsible for keeping the peace has been the amiable and illustrious gentleman from Alabama, our Speaker, Mr. BANKHEAD. I want to congratulate him for the spirit of fairness he has shown at all times as our

Speaker. I would also like to thank him for the many kindnesses he had accorded me.

I am grateful, too, for the generousities of our floor leader, the genial and considerate gentleman from Texas [Mr. RAYBURN]. A statement such as this would not be complete without an acknowledgment of his helpfulness.

To the members of my party I want to say that I am thankful for the splendid courage and patriotism you have shown in your support of the program to make democracy mean something in this country. It is a great distinction to be a member of such a party.

As the representative of my constituents, I want to thank you for having helped the people of South Dakota along the road to better economic conditions. It has been a long, uphill climb, and we have not yet reached the top; but the results so far have proved the wisdom of the experiment.

In conclusion, I would like to say to the adherents of the other political groups that it has been a pleasure to have been associated with you. Political partisanship is only a surface affectation to a real American.

Under that surface there beats in the hearts of all of us the same unselfish love of country, the same unswerving devotion to her institutions. [Applause.]

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial on the subject of conserving our natural resources.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, including a radio address I made recently.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KELLY of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE PRESIDENT'S GOLD PROGRAM AND INFLATION

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SPEAKING OF INFLATION

Mr. GRAY of Indiana. Mr. Speaker, the President has declared for a program of using the idle, stored Treasury gold buried and held in a ground vault in the midwestern State of Kentucky. This declared program can be more commended for the direction in which the step is taken than for the length to which the step goes.

The use of approximately one and one-half billions of idle gold to augment and replenish the money supply will not go far in restoring the currency and raising prices up to the 1926 level, which is and has been the declared policy of Congress as the one object and goal to be reached in the plan for relief and recovery.

But the limited amount of gold to be made available is not all that makes the program uncertain. The means and procedure of its administration will be slow and tedious to bring a halt to the rapid fall of prices and commodity values, the downward trend of the national income, and the diminishing buying and consuming power.

The program for the use of this idle gold is provided for in two parts. One part is for the use of the gold from which to make relief and recovery payments and to avoid borrowing money at interest, and the other is to make more credit available to or through the Federal Reserve banks.

While both parts are designed to reverse the policies carried out by the Federal Reserve banks during the last 18 months which brought on the depression, and while they are to move in the right direction, neither one nor both parts combined can or will operate with the speed required to stop the downward fall of the general price level.

Business failures are still increasing. Unemployment is greater or not improved, and there is a growing threat of wage reduction for those who are remaining employed. Farm income is still falling lower. There is no general business upturn except when started and sustained by public expenditures.

But, if this one first preliminary step taken is to be followed by other steps of greater length and until this idle, hoarded gold is used as money and paid out into free circulation in the form of gold certificates of proper denomination, it will mark a great and important epoch in the history of currency relief measures.

To realize what using this idle gold would mean, it is only necessary to look back and consider that if this idle gold had been used for relief and to restore the general price level, instead of allowing it to lie idle where buried, what could have been accomplished by its use, or what could have been avoided by using it.

If this idle gold had been used as now appears intended, instead of borrowing and spending for relief, we could have avoided a greater part of the fifteen billions interest debt and the recovery would have been permanent and lasting instead of temporary and lapsing into another depression, and calling for the same expenditures over and over again to provide relief and to safeguard against further suffering by the people.

If this idle, hoarded gold had been used during the last 5 years instead of borrowing at interest, we could have avoided the killing of farm livestock and the destruction of growing and mature crops, and the limitations and restrictions upon agriculture to make farm food scarce and dear for the hungry to buy, all resorted to, to restore prices and the commodity price level.

If this idle, hoarded gold had been used instead of borrowing at interest for relief and recovery, the imposition of many burdensome taxes, all reflected back upon the consuming masses, could have been avoided as unnecessary, and from which we are now retreating in humiliation, embarrassment, and disorder, acknowledging our persistence in error and blunder.

I am assuming that this one long-delayed step which was as proper and much needed 5 years ago as it is proper and is needed today will be followed up by other like and longer steps until all of this gold lying idle in the ground will be made available for use as money for the one and only purpose for which acquired.

I must further assume that this program for using this idle, surplus gold, with a more mature and well-considered plan of the administration for the use of the money, the futility of making this new currency available by and through the Federal Reserve banks will be realized in time and abandoned.

I am assuming this gold program will now be extended to utilize more of this idle, hoarded gold to avoid further increasing the interest debt, and further assuming that the new money will be promptly made available for use in replenishing the depleted currency by and through the governmental currency system.

I am therefore endorsing and approving the step only in the direction taken, and not the length of the step, but assuming that it will be followed to its logical conclusion, and that its administration will be transferred from the passive Federal Reserve currency system to be carried out through our public-money system, it becomes my duty to defend the program from the inconsistent and unwarranted attacks made against it.

The men who have been and are justly protesting against borrowing money for relief and recovery are now inconsistently objecting and opposing this idle, hoarded gold being used to take the place of borrowed money and are raising against it the hue and cry that the use of this gold will be inflation.

I wish first to consider the word "inflation," which is now being brought out as a scarecrow to stop and prevent the use of this idle gold, to take up the origin and use of the word both in its generally accepted and perverted meaning

and its strained and false application, and to show by whom and for what purpose used.

A proper consideration of the meaning and use of the now much-talked word "inflation" requires some understanding of the laws and operations of money in fixing prices, and the movements of currency and credit in changing, raising, and lowering prices.

Prices are the money measures of services, commodities, and property—the amount of money they will sell or exchange for their value measured in dollars and cents. Price is the money yardstick of value, like the pound is the measure of weight, or the bushel is the measure of quantity.

Without the use of money there could be no price. The operations of the transfer of services and commodities would be barter and exchange and each transaction would end when the transfer was completed.

The value of money is measured by the amount of services, commodities, or property a dollar will take or exchange for. A higher-valued dollar will take more and men will have to give up more labor, or more of their products, to get the dollar to pay taxes, interest, debts, and fixed charges. A lower value of money will take less services, values, and commodities and people will have to give up less to get the dollar to meet taxes and to pay their money obligations.

Money values and prices or commodity values are always relative and opposite. When money values are higher, prices or commodity values are lower, or when prices, commodity values are higher, money values are always lower.

There can be no such economic relations as high money values and high prices at one and the same time, more than there could be heat and cold, or high and low temperature in a substance or matter at one and the same time.

The relative value of money and prices are like the two opposite ends of a playground teeterboard. For one end to go down the other end must go up. The two ends of the teeterboard cannot be up or be down at the same time.

Higher values in money and lower prices or commodity values mean one and the same economic relation. And higher prices or commodity values and lower values in money are alike, the same.

It must also be known and understood that it is always to the interest of men holding their property in money and contracts for money to have low prices or commodity values, because lower prices and commodity values make for higher money values and increases the wealth of men holding money.

And it is always to the interest of men who have labor and labor products to sell, or who manufacture commodities to sell, to have higher prices and commodity values, which make for lower money values.

But the men whose interest it is to maintain lower wages, prices, and commodity values, and thereby to make their money higher in value, have seized upon, taken over, and usurped the power to issue, regulate, and control money, which is the power to hold wages and commodity values lower and to hold the value of money higher.

The power to control prices is a very great power for men to hold. The great financier Rothschild said: "Give me the power to issue money and I care not who makes the laws." Because the power to issue and control money is greater than all the other powers of government.

And to maintain, continue, and perpetuate their hold upon the power to control money and to keep prices lower and money values higher, with cunning shrewdness peculiar to their craft, the financiers have invented an artifice and strategy more effective and controlling than the force of arms.

The economic value of a bushel of wheat is the value to nourish and sustain the body. The economic value of wheat does not change, but has remained the same from the pyramids down to the present time. The economic value of the bushel of wheat is always the same, remains always the same, to nourish the body.

But prices, the money value of wheat, change and fluctuate from time to time, from as low as 33 cents a bushel

to as high as \$2 and \$3 a bushel, because money is changed from time to time as will best serve the men in control.

The greater reason prices or the money value of wheat change or fluctuate up and down is because of the change in the money—increasing or decreasing the supply of money. Increasing the money supply raises prices and lowers the value of money. Decreasing the supply of money lowers prices and increases the value of money.

To show that prices, money values, and wages are controlled by the supply and quantity of money, I here quote from the highest authority in the economic world today, the great economist, John Stuart Mill:

That an increase in the quantity of money raises prices (and commodity values) and a decrease (in the quantity of money) lowers prices (and commodity values) is the most elementary proposition of currency.

For this purpose of holding their power over money and preventing higher prices and commodity values, and maintaining higher money and money-contract values, the private bankers and financiers have centered upon a certain word of variable meaning and application. This is the now much-used word of "inflation."

"Inflation" means, in its generally accepted use, to distend, to unduly expand, to puff up, to fill up, to expand like a gas bag, to distend to abnormal size or dimension, and also loud, meaningless talk. But the word has no more application to money or prices than to any other means, agency, or subject.

And then the word has been talked, and by repetition over and over again, until the receptive, unguarded mind has been saturated or left imprinted with its offensive and distasteful meaning, made repulsive even to speak as an abomination in the sight of the Lord, and to stink in the nostrils of the people.

There are two kinds of so-called inflation. One is prices or commodity-value inflation brought about by an abnormal supply of money and which would make higher wages and prices, and would make lower money values—a straw man that nobody wants or has demanded.

The other, a money inflation brought about by a want and scarcity of money which would make lower wages, prices or commodity values, and would make higher money values, would give greater or higher value to bonds, mortgages, and notes, and all contracts for the payment of money.

If this made over or perverted word "inflation" has any application to prices and values, it has the same application to money values, to bonds, and money-contract values as it has to the wages of labor, as it has to prices and farm values, as it has to commodity and property values.

To illustrate the false use of the word "inflation," we were driving in our auto in 1929, running on a tire pressure of 30 pounds when there was a puncture and the tire went down. We got out and applying the gage found we had only 5 pounds, but when we took out the pump to inflate the air we were surrounded by a thousand fluttering parrots and jackdaws, all screeching "inflation" and that our tire was not down, and we were pumping it up to 40 pounds and ruining our tire.

We drove on with the rim bumping into 1937. We got out again and applied the gage. This time the tire is down to 3 pounds flat and the tire is breaking for want of air. We again take out the pump to inflate the air, and we are again surrounded by the thousand fluttering parrots and magpies, all screeching "inflation" and "you are ruining your tire," and we are confused by the clutter of screeching parrots.

Then we start to drive on and the rim is sounding. Then we stop again and find the tire flat, and we not only reach for the pump but for a gun and load it with fine, scattering birdshot to shoot the screeching parrots and jackdaws swarming around us so we cannot pump up the tire, and then we pump the tire back to 30 pounds and go on our way rejoicing to permanent recovery and prosperity.

This subterfuge use of the word "inflation" to keep the patient sick or prevent recovery includes falsifying the conditions, a false description of the remedy, a false and misleading word or term to describe both the condition and the remedy, and a false purpose assumed for its use.

The condition is a punctured, flat tire of the money supply in industry, and the remedy is to pump the air back to 30. It is misrepresented that the tire is not down, and it is the purpose to pump up to 40, 50, or higher. The honest words to use are "reflation" and "restoration." The dishonest, false word used is "inflation," meaning to unduly expand (beyond 30), to fill up to abnormal size or dimension.

But the money miser's strategy goes farther than falsity, misrepresentation, or application. An offensive, distasteful word is started on the way to make the remedy of reflation obnoxious, repulsive, as an abomination in the sight of the Lord, to stink in the nostrils of the people, to make men blush, and shame to even mention.

And the criminality of this cruel, heartless strategy is shown when we realize the word "inflation" is used to hold the people in want and distress, suffering hunger, chill, and exposure, children starving in sickness and destitution, the people losing their homes and life savings, all that the misers, shylocks, and money changers of today can take their bleeding, quivering pound of flesh of usury, extortion, profit, and gain.

The artful strategy of this inflation scarecrow is to assume a false diagnosis of the disease, the cause of the panic or depression, and then falsify the prescription for the cure, or a false condition of the patient, and the falsity of the cure demanded and the use of a false word or term to describe the cure or the remedy.

The word "inflation" has been put into the people's mouths, caught up and carried on everybody's tongue, and perpetuated itself in the imagination by mere mellifluousness of its sound, like the meaningless phrase "whoa Emma," echoed and re-echoed as a street slang over England, Europe, and finally in America, with the only explanation as "a saying got about."

And this false, misleading, descriptive word has been kept in the mouths of the people by the financiers, using a certain dense type of men as tools, as cat's-paws, as dupes, as puppets to repeat after them as parrots speak, in monotone, in blind, vacant stare, the word "inflation" and "panics are a mystery."

And this same dull, dense, strata of men are further urged as tools and cat's-paws, as dupes, as puppets, and parrots to repeat after the financiers, in blind, vacant stare, this money to restore currency scarcity and to bring back normal earnings and income is "flat" money, as if all money was not "flat" money, and which means the obligation and the promise of the Government to guarantee and make the money good, and without which even gold could not be used as money.

And more than this, these unsophisticated men are led by the psychological force of imitation and suggestion to speak with lifted brow and bated breath of the horrors of this money as "printing press" money, as if all money was not printing-press money, money printed on paper by printing presses, the same as Federal Reserve bank money, the same as national bank-note money, the same as all other money as now and ever used.

And the pity, the tragedy of it all is, that many good men and women have allowed this word to be put into their mouths, have allowed themselves to speak and use it without knowing its origin, meaning, or application, unconscious of the purpose for which being used—to make low wages and prices and maintain higher money values.

These unsuspecting men and women being used cannot be censured, berated, or condemned for the part that they are serving to hold back recovery. All that can be said was what Christ said to the howling, delirious, misled mob following him to be nailed to the cross:

Father forgive them, they know not what they do.

But we are warned of the German inflation as if that inflation came with a demand of the German people for more money and higher prices. Or an overexpansion of money was resorted to as a remedy for the depression or economic conditions in Germany, or to gain some profit or advantage by manipulating the currency. The German money inflation was brought about by German and American financiers acting together.

The German inflation was deliberately ordered and directed by the financiers of the German Reichsbank for the purpose of destroying and wiping out the German private or domestic debt, and putting all earnings and property assets behind the German foreign private debt largely held or to be held by American financiers.

And when Germany could not pay both the interest on the debt to the private financiers, and the public-reparation debt to our own and other nations, then the Hoover administration was led or misled to declare an interest-debt moratorium, suspending the collection of the interest on our debt but leaving our private financiers to collect their interest.

The financiers raising the hue and cry of inflation have brought about every inflation themselves that has come to this country since the organization of the Government. Inflation has been one of the cycle money movements in their speculations and stock-market operations, first, forcing values down when they want to buy, and then raising prices up when they want to sell.

No hypnotic performer on the stage ever brought his subject under more complete control and directed him to walk and talk and to follow and speak more obediently than the shrewd, cunning, and crafty financiers who have put the word "inflation" into the mouths of the people and have caused them to loathe and abhor in one breath what they are asking and demanding in another.

Taking advantage of religious beliefs and the mysteries and phenomena of Nature, many artful frauds have been perpetrated upon the confiding and unsuspecting people to burden and take their substance from them, their property, earnings, and income.

But taking advantage of the money illusion, the deliberately created mysteries of money in its operations hidden, covered, and concealed to transfer wealth and property secretly from one class to another, is the most gigantic and colossal fraud which men have ever conceived or invented to take from people their earnings and income.

It will be criminal indifference and disregard of public duty for this Congress to adjourn or recess until some certain, positive remedy is provided to arrest the further progress of this and the 1929 depression.

Realizing my duty here, I propose to resort to every parliamentary strategy to keep Congress here in Washington until such remedy is provided and until such measure is in force and effect, or is put in course of administration before Congress adjourns sine die.

Until some further measure and providing for more than a resort to and a trial over again of the same recovery means and measures resorted to by both parties in Congress and proven fruitless and of no avail, I will consider it my first and highest duty to insist that Congress remain here in session.

And I urge my colleagues here in the House to join with me in a bloc movement to hold this Congress in session unless such positive measure is provided, until the miasma dog days have come, until the katydids are singing the dirges of the dying year.

Unless and until such positive remedy is provided, I propose, with my colleagues joining me, to keep this Congress in session until the sere and yellow leaves fall; until the meadows are russet brown; until the frost line comes down from the frozen, Arctic North.

And until a further and positive remedy is provided, and if my colleagues believe as I believe, will stay with me in a bloc, the Members of this wavering Congress will do well, or will be in great luck if they can force a Thanksgiving recess to eat their turkey back home.

EXTENSION OF REMARKS

Mr. BETTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement I made before the Committee on Appropriations on Saturday.

The SPEAKER pro tempore. Is there objection?
There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a copy of a letter I addressed to Secretary Wallace and his reply to my letter. The SPEAKER pro tempore. Is there objection? There was no objection.

THE BONNEVILLE PROJECT

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks and include some remarks made by the administrator of that project, Mr. J. D. Ross; also a statement by the gentleman from Mississippi [Mr. RANKIN], a table showing the relation of debt to gross revenue of various utility companies in Oregon and Washington, and a letter written by Mr. David E. Lillenthal.

The SPEAKER pro tempore. Is there objection? There was no objection.

Mr. PIERCE. Mr. Speaker, on April 21 I commented in this House on the public-power election which recently took place in Oregon. I regard the matter as of great importance because it involves the beneficial use of power generated at the great Bonneville project, and also the whole question of public versus private distribution of power. In my former speech I stated my opinion that private utilities can never distribute Bonneville power beneficially, as required by law. I desire to strengthen the argument on that point and to comment further on some features of the effort the people of Oregon are now making to enjoy Bonneville benefits.

PRIVATE UTILITIES NEVER PAY BONDED DEBTS

I have many times called attention to this difference between public and private utilities. No more striking evidence has come to my attention than a letter just received from Mr. David E. Lillenthal, Director of the Tennessee Valley Authority. I am inserting this letter because it is incontrovertible testimony from an expert.

DEAR GOVERNOR PIERCE: I have just read with the greatest interest your speech in the House appearing in the CONGRESSIONAL RECORD of April 21, on the public-power district issue in your State. You have rendered a great service in setting out these facts, as, of course, even those of us deeply interested have difficulty in getting access to the facts in the situation.

Your reference to the fact that not generation but distribution represents the bulk of the costs in electric service and is therefore the crux of the matter, cannot, as you have said, be too often repeated.

You touch also on a crucial point in the latter part of your speech when you emphasize the principle of the amortization of capital investment, a principle which distinguishes public projects from private operation. I heard an interesting story the other day that in a way dramatizes this principle which to many people seems only a prosaic accounting matter. The story is this:

A negotiation was in progress between the head of a private utility company in the T. V. A. area and representatives of public agencies interested in purchasing that company. In defending the purchase price suggested by the public agencies, it was pointed out, among other things, that any higher price would not permit the repayment of the bonds which the public agencies planned to issue within a reasonable period of years. The president of this private company said:

"You are figuring this thing wrong. You don't have to repay those bonds since you are already setting up depreciation; just refinance them when the term of the bonds expires."

The public representative said substantially this:

"That statement shows why you fellows are in the trouble you are in. You have never paid back a debt in the form of a bond yet. We don't intend to do that. We are going to pay back every dollar, and pay it back in a reasonable period of time. It has been more than 40 years since you first made major underground extensions in this city, and the bonds that you issued to provide the money for that improvement have never yet been paid back. That is unsound, and we don't intend to follow that practice."

I mention this incident not to throw discredit on any particular company but because it illustrates somewhat graphically the importance of the principle of repayment of debt that you have emphasized in your speech, and as you will note in the enclosed pamphlet, that principle of the amortization of capital investment is provided for in the contract between the T. V. A. and the many public agencies which it now supplies with power at wholesale. For example, the city of Florence, Ala., issued, in round numbers, \$240,000 in bonds to purchase and rehabilitate the property of the private company in that city. Thereupon it reduced rates very drastically. At the end of the first year, in addition to paying all operating expenses, depreciation, an item for taxes, interest, etc., and setting up a reserve for further extensions and improvements, the city paid off and retired \$60,000 of these bonds, or one-fourth

of the total issue. This is an excellent record, of course, but it is not unique.

Assuring you of my interest in the work for which you have been fighting in the Northwest, I am,

Sincerely yours,

DAVID E. LILIENTHAL, Director.

OREGON PRIVATE UTILITY INDEBTEDNESS

A study of the financial set-up and debts of Oregon's private utilities reveals an underlying condition which accounts for the false issues raised by them, and clearly shows why these companies cannot be entrusted with the beneficial distribution of Bonneville power which is required by law. They have all been in the strangle hold of Wall Street holding companies, and carry that unfortunate speculative debt, even when shaken free from the holding company. The private power companies have a very definite reason for fighting public power with its low rate and debt payments. They conceal their motives through raising false issues. Their real motive is to bolster up a debt capitalization clear beyond property values and to hold up rates to support excess securities. To illustrate this point I am presenting an illuminating table showing the debt outstanding per dollar of annual gross income of the power companies operating in Oregon. This data is compiled from the 1937 edition of Moody's Manual of Public Utility Securities and from correspondence.

The Oregon company, which has a debt of nearly \$95,000,000, fought the public power districts with printed statements that public ownership might endanger \$97,000,000 worth of property in the proposed district. While the sponsors, whom they ridiculed, were creating values to the amount of \$97,000,000, the P. E. P. Co. was amassing a debt of \$95,000,000. Which group had better be entrusted with Bonneville power distribution? This table exposes the fallacy of the utility argument that such citizens, as directors, might not, with competent technical employees, manage a utility property more successfully than the high-salaried manager of the debt-ridden private utility. That manager, without a sense of humor, actually made an issue of the fact that the law allows five directors \$10 each per diem for services, while he alone is drawing \$130 each day. What "pressure" jobs and slush funds are concealed in the accounts of private companies?

The financial soundness of a utility can be measured by the relation of its debt to annual gross earnings. The prudent rule is that the debt should not be more than three times the gross revenue. The following table shows that the public plant at Eugene, with rates about one-half of the average private-company rates in Oregon, has only \$0.675 in debt per dollar of gross income. Washington, D. C., with fairly low rates and an unsatisfactory set-up, has but \$2.16 of debt per dollar of income. The company which fought the seven-power district in Oregon viciously, and with ample money, has a debt of \$7.75. Any debt above \$3 per dollar of income is a deception perpetrated both on the investor and the rate payer. It means the investor has no "investment" and the customer pays too much. The amount of outstanding debts represents total liabilities, such as stocks, bonds, equipment notes outstanding, interest and taxes due, deposits, and so forth, on balance sheet, less reserves. In the case of Eugene it is total funded debt less cash and investments.

Relation of debt to gross revenue—The financial yardstick (companies operating in Oregon compared with yardsticks)

Organization	Number of consumers	Outstanding debt, net	Annual gross earnings	Debt per dollar of gross revenue
The companies:				
Portland Electric Power Co.	143,508	\$94,939,510	\$12,256,135	\$7.75
Northwestern Electric	45,042	18,352,448	4,184,660	4.37
Mountain States Power Co.	51,615	22,692,017	3,623,181	6.25
California-Oregon Power Co.	37,791	36,767,175	4,368,477	8.40
Pacific Light & Power Co.	57,439	38,971,937	4,630,061	8.40
Idaho Power Co.	50,599	36,000,061	4,749,840	7.60
The yardsticks:				
Eugene public power plant	8,694	315,195	465,703	.675
Tacoma, Wash.	35,202	4,867,497	2,359,964	2.06
Washington, D. C.	176,586	30,380,992	14,093,989	2.16

SHALL GOVERNMENT SUBSIDIZE DEBT-RIDDEN UTILITIES?

Private utility propaganda stressed "subsidized public power at Bonneville." They themselves are demanding and probably will have secured before these words are read in Oregon, Government subsidies of millions of cheap money, cheaper loans than ever enjoyed by any farmer. They demand this money for "expansion" to give employment. Everyone knows it means cheap money to fight public power, and that only. Governmental units should enjoy such interest rates on public funds. There can be no honest reason for subsidizing private business.

Most private utilities are burdened by debt and unwarranted heavy capitalization. They have too many poor relations to support, such as holding-company overlords, who render no service and make the business speculative. The whole utility industry in 1932 gave employment directly to only 244,000 men, less than half the number employed by one steel company. Use of Government funds on the plea of employment of labor is not justified.

Our colleague from Mississippi, Mr. RANKIN, known throughout the Nation as a most able advocate of public power, has recently released the following statement in opposition to the proposed R. F. C. loans to private power companies:

One of the most outrageous proposals yet advanced is that made by the R. F. C. to loan public money to private power companies, under the guise of increasing employment and helping to restore prosperity. Everybody knows that these private power companies are owned by holding companies, which are in turn owned by Wall Street banks that have all the money they need. To advance them public funds at this time would merely encourage them and give them what would appear to be an immunity bath to continue their legalized robbery of the masses of the American people through exorbitant light and power rates. If this proposition had been included in the recent R. F. C. bill, it could not have passed Congress in a hundred years. I cannot understand why the R. F. C. would want to finance the enemies of this administration to carry on their fight against the administration and its power policies.

Private utilities are also now demanding and securing cheap Government money to finance rural extensions for which they formerly extorted bonuses amounting to blackmail. State regulatory officials shamelessly went along and failed to protect country people who could get electricity only by paying from \$100 to \$1,000 for extensions which should have been required because of the monopoly and privileges granted the private company.

MUST PEOPLE BE CHAINED TO THE PRIVATE UTILITY CHARIOT?

The Governor of Oregon, in a letter to the Bonneville administrator, said:

If a private utility desires to purchase Bonneville power at a lesser cost than it can now generate or otherwise procure it, this saving must be passed on to the ultimate consumers and not retained in the utility treasury to pay dividends to stockholders. * * * only in this way can the benefits of cheaper power from Bonneville become tangible to the tremendous percentage of people who now secure their electric service from the private utilities. * * * They may through the ballot decide to purchase these existing private lines to distribute for themselves.

I cannot agree that people should be limited to dealing with private utilities. It appears to me that the debt-burdened private companies now operating in Oregon cannot possibly pass on the benefits unless they reorganize. The company fighting the power district election has paid no dividends since 1932. I doubt whether the people will accept any service designed to pay dividends on such a swollen capitalization. If the people buy the present plants, there must be a fair valuation with no attempt to secure returns on the enormous overcapitalization.

The amount of power to be taken by a private company will be a determining factor in the savings which might be so inconsequential as not to be noticed in bills. The consumer's bill is largely determined by distribution costs which must cover operating expenses and interest and dividends. Electric rates cover a multitude of sins which will always continue under private management. Present private production average cost in Oregon is 2.25 mills per kilowatt-hour. If half of this cost is reduced, and the private com-

panies elect to take only 10 percent of their requirements from Bonneville, the saving would amount to but 1 cent per bill for the average consumer taking 100 kilowatt-hours per month. This means nothing. The total average residential rate reduction in Oregon from 1930-36 was 4.4 percent. It takes a 10-percent reduction to be appreciably noticed.

OREGON VOTERS MAY PERFECT PUBLIC POWER LEGISLATION

The Oregon State Grange fostered, in the legislature of 1935, a power bill prepared by the Interior Department solicitors for the purpose of enabling the State to utilize most advantageously the power to be generated at Bonneville. This act was passed by the legislature and vetoed. I assume that the public will have an opportunity to support proper amendatory legislation at the next general election, and that Oregon will thereafter be as favorably situated as is Washington for utilization of Bonneville benefits. I am informed an initiative petition has been filed for this purpose by the State Grange, and if people are alert and informed the law will be satisfactory by the time power districts are organized, and no general obligation bonds will be required. The people may then, at election or in legislature, overcome all obstacles so far set up including the threat, now offered, that the State bond commission may not approve legitimate public issues, such as the revenue certificate bonds will be. I cannot think Oregon officials would, or could legally, allow prejudices against public power to tempt them into rejection of proper bond issues. The revenue certificates, guaranteed by earnings, and not by any type of property, will remove all doubt as to financing projects.

Knowing Oregon, I freely predict election of State senators and representatives pledged to public power, and enactment of necessary legislation.

UTILITY ARGUMENTS EASILY REFUTED

The attacking utilities reiterated that public power would mean political power. Private utilities have always been up to their necks in politics. They have contaminated and corrupted legislative bodies from city councils up to Congress. They have made and unmade governors, mayors, and legislators. The removal of their insidious influence over public life is one of the strongest arguments for public ownership. In Oregon the attorney general has ruled that, most unfortunately, expenses of the power district campaign need not be filed. This also should be remedied by statute.

The utilities ridiculed the idea of operation by elected directors, overlooking the fact that the most successful businesses, as well as banks and schools, are carried on by competent technical management under boards of directors. After the distributing plant is built there is very little technical knowledge required. Public business is as honestly managed as is private business—witness the holding companies. Men do not have different codes of morals for public and private business and they exhibit about the same amount of greed and corruption in each. I might more accurately have said that public business is just as honest as private business will allow.

Their tax arguments are the culmination of the fight for the sales tax and are used by the same old group which determined to get a sales tax admitted, by giving it the false face of education, old-age pensions, or some other necessity. Speaking of this tax propaganda, and declaring that taxes are part of the cost of operation always given the customer to pay, a clever Oregon editor says:

One might think that the light companies of Portland pay their taxes out of their inheritances or their remittance from grandfather's estate.

People trained by the income-tax fight are able to meet the same enemies and understand the same methods. Arguments about putting private property in jeopardy, and on public debt are refuted elsewhere in these remarks. A campaign of education will make voters immune to unsound arguments of private utilities.

Investors have been terrified by the private company propaganda, and fear losses if public power districts are formed or

private companies are taken over by the public. The spread of private utility stock among small investors was shrewdly calculated to enlist their interest for private as against public power. Just how much value is represented by these utility investments will be apparent from the table presented above. No true values will be destroyed.

The real issue in every Oregon public power election is, Who shall benefit from Bonneville? The private utility managers are looking well after their own interests and are not concerned over possible losses to the public. Oregon has eleven publicly owned light systems, several of which have been markedly successful. The future looks bright for them because their debts are being paid. How does it look for those tied to the private utilities with their burden of debt necessitating high rates? Cheap electricity pays its own way.

Mr. Speaker, the Bonneville project, under Mr. J. D. Ross, administrator, is making very remarkable contributions to the yardstick discussion, and is working out a basis for rate making which may revolutionize practice throughout the country. Mr. Ross contends that American consumers are paying for millions of kilowatt hours they never receive. He says that Bonneville current will be sold on a new basis, for the "kilowatt-year" which is a thousand watts furnished day and night for 12 months, 8,760 kilowatt-hours of electricity to be exact. Administrator Ross has just issued a leaflet setting forth the old practice of selling power from a scarcity standpoint and recommending distribution on a basis which will encourage rather than restrict consumption. He says this is especially important where water is abundant and storage facilities inadequate. He points out the striking fact that in getting the cheapest possible power to the consumer he must take under consideration the power he pays for whether he uses it or not. He reminds the consumer that day and night the river flows westward to the sea, producing electricity as the water passes through the penstocks.

We must use that power as it is produced, or it is lost forever. So I have suggested selling electricity to cities and districts and companies on the basis of the kilowatt-year. Pay so much per kilowatt-year. Take all or any of the 8,760 kilowatt-hours during the 12-month period, the price will be the same.

American consumers are paying for millions of kilowatt-hours of electricity they never receive.

That is the contention of J. D. Ross, administrator of Bonneville Dam, who says immense quantities of waterpower "are wasted over the dam because people will not pay exorbitantly high rates." This is particularly the case on stream-flow plants like Bonneville, he said, where at present the water cannot be stored and used as needed.

Ross, recently chosen by President Roosevelt to direct the power program of the vast Columbia River Basin, will soon offer a block of energy of more than 100,000 horsepower to the people of Oregon and Washington. Current from Bonneville Dam will be sold on a new basis—the "kilowatt-year"—which is a thousand watts furnished day and night for 12 months, 8,760 kilowatt-hours of electricity, to be exact.

In a leaflet issued today for public distribution, Administrator Ross scored present practices of selling power "from the old scarcity standpoint." With Bonneville Dam tapping a river system that has nearly half the potential waterpower of the Nation, it should be distributed on a basis that will encourage rather than restrict consumption, he said. "This is especially true where water is so abundant and storage facilities inadequate, as on the Columbia River," he said. By wholesaling electricity to cities and companies by the "kilowatt-year" Ross hopes to set a new standard for domestic, farm, and industrial use of power.

The "kilowatt-year" sales unit is based directly on the cost of producing power, Ross declared. "No higher mathematics or juggled schedules enter into the determination of costs. The small consumer does not subsidize the large industrialist. We simply say, 'A kilowatt-year costs us so much. Pay us our cost and use that kilowatt continuously, day and night, throughout the year.'"

The Bonneville administrator said such a method would give the consumer "the most for his money—the power he now pays for whether he uses it or not." Referring to the Ontario Hydroelectric Commission, which uses a similar wholesale system, Ross noted that Canadian homes used more than twice as much electricity as American families.

Our aim is not to get as much money as we can out of the people, but rather to give them as much as we can for their money. One of the purposes of the Bonneville project is to establish the fair cost of electricity, and to end the practice of charging all that the market will bear—

Ross said.

At Bonneville Dam the Columbia River flows steadily westward to the sea. Day and night it produces electricity as the water passes through the penstocks. We must use that power as it is produced or it is lost forever. So I have suggested selling electricity to cities and districts and companies on the basis of the kilowatt-year. Pay so much per kilowatt-year. Take all or any of the 8,760 kilowatt-hours during the 12-month period. The price will be the same.

Ross said that cities buying power by the "kilowatt-year" naturally would set their rates so as to encourage families to use power all day long.

Instead of just having a few lights burning in the evening, it would be economical to use the power all through the day: for refrigeration, cooking, water heating, as well as for off-peak house heating, irrigation, commercial, and industrial use. Every extra kilowatt-hour used means increased leisure or additional income to men and women of the Northwest.

Mr. MASSINGALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a radio address delivered by my colleague [Mr. CARTWRIGHT] last Friday evening.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a radio address delivered by the Secretary of the Interior in the city of Chicago.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RECIPROCAL-TRADE AGREEMENTS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to extend my remarks by including a short editorial from a Democratic paper, The Lowell Sun, of April 29, 1938.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the editorial to which I refer reads as follows:

A RUINOUS TRADE AGREEMENT

The first chapter in the local adaptation of the newest American labor story, entitled, "Another Industry Thrown to the Wolves," was written yesterday when 106 employees of the American Hide & Leather Co. of this city were laid off indefinitely, as predicted in this newspaper a week ago.

The American Hide & Leather Co., Mr. Speaker, has been one of the finest industries in the city of Lowell and it is extremely tragic that those workers are losing their jobs.

This editorial is just one more expression of the fear and anxiety which is so prevalent in Massachusetts at the present time. Many thousands of our people are sorely troubled and disturbed about the reciprocal-trade agreements and their effects upon New England. The workers there feel that their pleas are falling upon deaf ears.

The editorial then goes on as follows:

This represents the first real blow struck at the leather and shoe industry in this city; but it does not come as a startling surprise out of the blue. Back of it lies the reciprocal-trade treaty with Czechoslovakia in which concessions made by the United States tend to all but wipe the American side of the industry off the map. The beginning of the layoffs justifies the recent assertion of Representative MARTIN of Massachusetts that "the Czechoslovakian trade agreement provides that every shoe worker in the United States must loaf 7 days every year so that he can assist in keeping the Czech shoe worker busy."

Instead of putting people back to work, as President Roosevelt has urged, reciprocal-trade treaties take work from them. While

Czech workers get wages and jobs, American workers are forced to make the despairing change from self-supporting pay rolls in private industry to the dole.

EXTENSION OF REMARKS

Mr. TEIGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a recent address made by me on the subject of Government Monopolies Are Essential.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by placing therein the following worn-out plank of the Democratic platform of 1932:

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of Federal Government.

And also the following statement made by the President of the United States at Sioux City on September 29, 1932:

I shall use this position of high responsibility to discuss up and down the country, at all seasons, at all times, the dignity of reducing taxes, of increasing the efficiency of Government, of cutting out the underbrush around our governmental structure, of getting the most public service for every dollar paid by taxation. This I pledge you and nothing I have said in the campaign transcends in importance this covenant with the taxpayers of this country.

And also to include a list of the 67 bureaus that have been established by the Federal Government since March 3, 1933, showing that the statements made by the Democratic platform and the President have not been carried out, and that they have just done the very opposite they said they would do. What good is constructive promises when they are repudiated by the President and his party?

The SPEAKER pro tempore. Is there objection?

There was no objection.

The list referred to is as follows:

FEDERAL AGENCIES CREATED SINCE MARCH 4, 1933, BY THE PRESIDENT AND THE DEMOCRATIC ADMINISTRATION

1. Agricultural Adjustment Administration.
2. Alley Dwelling Authority.
3. Central Statistical Board.
4. Civilian Conservation Corps.
5. Commodity Credit Corporation.
6. Corporation of Foreign Security Holders (discontinued).
7. Disaster Loan Corporation.
8. Electric Home and Farm Authority.
9. Emergency Conservation Work (replaced by C. C. C.).
10. Executive Council (replaced by National Emergency Council).
11. Export-Import Bank of Washington, D. C.
12. Farm Credit Administration.
13. Farm Security Administration.
14. Federal Alcohol Control Administration (replaced by Federal Alcohol Administration).
15. Federal Alcohol Administration.
16. Federal Civil Works Administration (replaced by Federal Emergency Administration of Public Works).
17. Federal Communications Commission.
18. Federal Coordinator of Transportation (discontinued).
19. Federal Deposit Insurance Corporation.
20. Federal Emergency Administration of Public Works.
21. Federal Emergency Relief Administration.
22. Federal Farm Mortgage Corporation.
23. Federal Housing Administration.
24. Federal Prison Industries, Inc.
25. Federal Savings and Loan Insurance Corporation.
26. Federal Subsistence Homesteads Corporation.
27. Federal Surplus Commodities Corporation.
28. Federal Surplus Relief Corporation (replaced by Federal Surplus Commodities Corporation).
29. Home Owners' Loan Corporation.
30. National Archives.
31. National Bituminous Coal Commission.
32. National Emergency Council.
33. National Labor Relations Board.
34. National Mediation Board.
35. National Railroad Adjustment Board.
36. National Recovery Administration (discontinued).
37. National Resources Committee.
38. National Youth Administration.
39. Prison Industries Reorganization Administration.
40. Public Works Emergency Housing Corporation (discontinued).

41. Public Works Emergency Leasing Corporation (discontinued).
42. Puerto Rico Reconstruction Administration.
43. Railroad Retirement Board.
44. Reconstruction Finance Corporation.
45. Resettlement Administration (replaced by Farm Security Administration).
46. R. F. C. Mortgage Co.
47. Rural Electrification Administration.
48. Second Export-Import Bank of Washington, D. C. (discontinued).
49. Securities and Exchange Commission.
50. Social Security Board.
51. Soil Conservation Service.
52. Soil Erosion Service (replaced by the Soil Conservation Service).
53. Tennessee Valley Associated Cooperatives, Inc.
54. Tennessee Valley Authority.
55. United States Maritime Commission.
56. Works Progress Administration.

This list does not include certain Federal boards, commissions, committees, etc., established for certain special purposes, temporary in nature, viz: National Industrial Labor Boards, Petroleum Administrative Board, Committee on Economic Security, Puerto Rican Hurricane Relief Commission, Special Mexican Claims Commission, etc.

Nor does it include certain bureaus or divisions created by the consolidation of functions within a Federal agency, or certain federally sponsored agencies or associations such as Savings and Loan Division, Federal Home Loan Bank Board; Procurement Division, Department of the Treasury; National Reemployment Service; Federal Credit Union System; Federal land banks; production credit corporations; etc.

Sources: United States Government Manual, United States Statutes at Large, Executive orders.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS. Mr. Speaker, I have asked for this time just to point out that if the reorganization bill which was recently defeated had been passed, a great many of the bureaus about which the gentleman is worried would have been taken care of and an increasing amount of efficiency and uniformity in government made possible. [Applause.]

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD concerning a bill which will be considered on the Consent Calendar.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEARHART. Mr. Speaker, on the list of bills that will be considered by the House of Representatives is one (H. R. 6656) which is purposed to create a new national holiday to be dedicated to the cause of world peace and to be known as Armistice Day. As the author of that proposed legislation I am, of course, deeply interested in its passage.

Unlike the other pending proposals, each of which would create a holiday of similar name, the day will not be devoted to the exaltation of glories achieved in war but, rather, to an emphasis upon those blessings which are associated with the peacetime activities of mankind.

Armistice Day not only marked the end of a great war, it also ushered in a new era of peace. So it is fitting and proper that at least one day on the long list of those days that compose the patriotic calendar should be devoted to this most laudable idea—the promotion of "Peace on earth and good will to all mankind."

It is gratifying to be able to advise you, Mr. Speaker, that the proposal to make Armistice Day a national peace holiday has the enthusiastic approval of the veteran societies whose membership is selected from among those that served in the World War. For the generous support that has been accorded my bill, I will ever be grateful to the Veterans of Foreign Wars, the American Legion, the Disabled American War Veterans, and the Army and Navy Union, as well as to the other organizations of lesser membership which rallied to the support of the cause. No list of endorsing organizations would be complete without including the National Association of Letter Carriers and the United National Association of

Post Office Clerks, the two largest organizations of postal employees, in whose ranks are to be found great numbers of former service men.

In order that the Congress might be advised in respect to the attitude of the States toward this measure, Mr. Homer Chaillaux, national director of Americanism of the national organization of the American Legion and a former department commander of that organization in California, at my request made a thorough check in respect to Armistice Day legislation in the several States of the Union. As a consequence of this investigation it was revealed that Armistice Day is now a State holiday in 44 States by reason of the action of the State legislatures thereof. Three States—that is, Maryland, Nevada, and New Mexico—have enacted legislation which reposes in their respective Governors the right to establish Armistice Day as a State holiday by successive proclamations, and in each of these States, so I am advised, the several Governors have never failed to issue holiday proclamations each year since they were empowered by law so to do. In only one State, in North Carolina, has the State legislature failed to act.

It is interesting to note in passing, Mr. Speaker, that Senator ROBERT RICE REYNOLDS, of North Carolina, has introduced an Armistice Day bill in the Senate, S. 3727, which is couched in precisely the same words which I have caused to be incorporated in my bill, H. R. 6656. It would seem that this distinguished legislator, commissioned by the people of his great State, shares with me the thought that the time has now arrived for the Congress of the United States to confer upon Armistice Day the national recognition which has been accorded it in all the States of the Union, save the one which has been mentioned.

Mr. Speaker, I trust that when my bill is called on the Consent Calendar, the calendar we are about to begin the calling of, that no voice will be heard in opposition to this most meritorious proposal and that it may be sent to the other House for its consideration with the unanimous approval of this body.

Mr. EICHER. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the Swedish Tercentenary Celebration and to include therein a few historical excerpts from other writers on Swedish-American settlers.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON and Mr. BURDICK asked and were given permission to extend their own remarks in the RECORD.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—STRENGTHENING AND ENFORCEMENT OF ANTITRUST LAWS (S. DOC. NO. 173)

The SPEAKER pro tempore laid before the House a message from the President of the United States, which was read, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

(For message see Senate proceedings of Friday, April 29, 1938, p. 5992.)

Mr. RICH (interrupting the reading of the message). Mr. Speaker, I ask unanimous consent that further reading of the message be dispensed with.

The SPEAKER pro tempore. The Chair has not recognized the gentleman.

Mr. RICH. Nobody is listening to it.

The SPEAKER pro tempore. The gentleman from Pennsylvania is out of order. The Chair refuses to recognize him.

EXTENSION OF REMARKS

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a decision rendered by the Supreme Court of the United States last Monday concerning interstate compacts on the streams of the country. It applies to the whole country and is of tremendous importance.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a radio speech made by myself.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, can the Chair inform us whether there will be any suspensions this afternoon?

The SPEAKER pro tempore. There will be two. The Speaker had agreed to recognize the gentleman from Tennessee [Mr. McREYNOLDS] to move to suspend the rules and call up the bill H. R. 5633; and the Speaker had agreed to recognize the gentleman from Texas [Mr. MANSFIELD], chairman of the Committee on Rivers and Harbors, to move to suspend the rules and call up the bill S. 2650.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

TITLE TO LANDS ALLOTTED TO INDIANS

The Clerk called the first bill on the Consent Calendar, H. R. 2534, to authorize the Secretary of the Interior to investigate and report on the loss of title to or the encumbrance of lands allotted to Indians.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LIMITATION OF CONSTRUCTION COST ON BUILDINGS IN NATIONAL PARKS

The Clerk called the next bill, H. R. 6350, to amend the act of August 24, 1912 (37 Stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. WOLCOTT objected.

SHOSHONE NATION OF INDIANS

The Clerk called the next bill, S. 68, authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INDIANS ON THE QUINAIELT RESERVATION, WASH.

The Clerk called the next bill, S. 1517, authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington, and for other purposes.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHIPPEWA INDIANS OF WISCONSIN

The Clerk called the next bill, H. R. 8502, to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. L. 1049).

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TO CLARIFY THE EXPATRIATION LAWS

The Clerk called the next bill, H. R. 7546, to clarify the expatriation laws with regard to certain native-born citizens of the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOSER of Pennsylvania, Mr. FORD of Mississippi, and Mr. TABER objected.

LEASING OF INDIAN LANDS FOR MINING PURPOSES

The Clerk called the next bill, H. R. 7626, to regulate the leasing of certain Indian lands for mining purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

On motion of Mr. COSTELLO, a similar Senate bill (S. 2689) was substituted for the House bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That hereafter unallotted lands within any Indian reservation or lands owned by any tribe, group, or band of Indians under Federal jurisdiction, except those hereinafter specifically excepted from the provisions of this act, may, with the approval of the Secretary of the Interior, be leased for mining purposes, by authority of the tribal council or other authorized spokesmen for such Indians, for terms not to exceed 10 years and as long thereafter as minerals are produced in paying quantities.

Sec. 2. That leases for oil- and/or gas-mining purposes covering such unallotted lands shall be offered for sale to the highest responsible qualified bidder, at public auction or on sealed bids, after notice and advertisement, upon such terms and subject to such conditions as the Secretary of the Interior may prescribe. Such advertisement shall reserve to the Secretary of the Interior the right to reject all bids whenever in his judgment the interest of the Indians will be served by so doing, and if no satisfactory bid is received, or the accepted bidder fails to complete the lease, or the Secretary of the Interior shall determine that it is unwise in the interest of the Indians to accept the highest bid, said Secretary may readvertise such lease for sale, or with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations: *Provided*, That the foregoing provisions shall in no manner restrict the right of tribes organized and incorporated under sections 16 and 17 of the act of June 18, 1934 (48 Stat. 984), to lease lands for mining purposes as therein provided and in accordance with the provisions of any constitution and charter adopted by any Indian tribe pursuant to the act of June 18, 1934.

Sec. 3. That hereafter lessees of restricted Indian lands, tribal or allotted, for mining purposes, including oil and gas, shall furnish corporate surety bonds, in amounts satisfactory to the Secretary of the Interior, guaranteeing compliance with the terms of their leases: *Provided*, That personal surety bonds may be accepted where the sureties deposit as collateral with the said Secretary of the Interior any public-debt obligations of the United States guaranteed as to principal and interest by the United States equal to the full amount of such bonds, or other collateral satisfactory to the Secretary of the Interior, or show ownership to unencumbered real estate of a value equal to twice the amount of the bonds.

Sec. 4. That all operations under any oil, gas, or other mineral lease issued pursuant to the terms of this or any other act affecting restricted Indian lands shall be subject to the rules and regulations promulgated by the Secretary of the Interior. In the discretion of the said Secretary, any lease for oil or gas issued under the provisions of this act shall be made subject to the terms of any reasonable cooperative unit or other plan approved or prescribed by said Secretary prior or subsequent to the issuance of any such lease which involves the development or production of oil or gas from land covered by such lease.

Sec. 5. That the Secretary of the Interior may, in his discretion, authorize superintendents or other officials in the Indian Service to approve leases for oil, gas, or other mining purposes covering any restricted Indian lands, tribal or allotted.

Sec. 6. Sections 1, 2, 3, and 4 of this act shall not apply to the Papago Indian Reservation in Arizona, the Crow Reservation in Montana, the ceded lands of the Shoshone Reservation in Wyoming, the Osage Reservation in Oklahoma, nor to the coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

Sec. 7. All acts or parts of acts inconsistent herewith are hereby repealed.

Mr. COX. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, again asserting that there exists "a concentration of private power without equal in history," a concentration of both wealth and industrial control, President Roosevelt on April 29 sent his long-awaited anti-monopoly message to the Congress.

The message contained an outline of very far-reaching action for curbing and disintegrating monopolistic big busi-

ness and rigid price structures. The President proposed that the Congress appropriate \$500,000 to finance a study by the Federal Trade Commission, the Department of Justice, and the Securities and Exchange Commission and other governmental agencies.

Not only Mr. Roosevelt, but numerous other authoritative spokesmen for the administration have asserted and reasserted that such sinister monopolistic power exists in this country.

If there is any concentration of wealth and industrial control which defies and frustrates proper governmental regulation, such concentrated power and control ought to be exposed and wiped out.

If it is true that "60 families" control the wealth, the industry, the economic, and the social destinies of this Nation, that fact ought to be clearly established and that situation ought to be remedied at the earliest possible moment.

If there is any concentrated control by which monopolies can establish price structures to the detriment of the consumers of this country, in other words, rob the people through price, such a monopolistic control ought to be exposed and destroyed.

If there is any monopolistic power in this country that can and does operate to the restraint of business and the detriment of the welfare of the economic structure of this country, that fact ought to be exposed and such monopolistic power should be broken for all time.

If there is any concentration of wealth and industrial control existing in this country that has attempted or would deliberately attempt to bring about or to continue hard times for the purpose of discrediting or defeating governmental efforts to bring about prosperity, that fact ought to be disclosed to the American people and such a condition remedied forthwith.

If, on the other hand, these charges are exaggerated or unfounded, or if the fears of such monopolistic economic control are being built up needlessly, that fact ought to be disclosed to the American people and the charges should cease to be hurled about over the radio, through the newspapers and from the public platform, and in Congress as well.

Congress should grant President Roosevelt's request for \$500,000 to finance these studies. Congress should see to it that such investigations are made on the basis of absolute fairness, and with a wholly constructive purpose of disclosing the actual situation in order that such knowledge and information as are gained by such studies and investigations can be made the basis for constructive legislation where such legislation may be shown to be needed.

It is unthinkable that within the framework of a constitutional republic there should exist an extraconstitutional or a superconstitutional power, holding sufficient control of wealth and industrial operations as to defy the Government or to extort tribute from the people.

It is probable that an investigation such as President Roosevelt proposes will show up some faulty spots. If that should be the case, it would not be necessary to destroy all big business in order to remedy such faults. It is not necessary to destroy a man's life to heal a boil on his body. Any sort of cure which has that result is not a cure in any sense of the word.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COX. Mr. Speaker, any investigation which will be designed or pursued with any intention other than to determine and disclose the actual facts without fear, favor, or bias would be exceedingly harmful. Any investigation pursued with the purpose of disclosing the facts, whatever they may be, without fear, favor, or bias could not be otherwise than helpful. It is inconceivable, of course, that President Roosevelt and his subordinates would make such charges as these,

particularly in a message to the Congress, unless they believed they had excellent grounds for such assertions—grounds supported by the most trustworthy evidence. Unless such an investigation and study is undertaken, and unless it is conducted on the highest possible plane of constructive inquiry, the Nation will be left in a state of doubt, which will cause this warfare against business to continue indefinitely. Such an investigation must be conclusive in its evidence and its findings of fact. It is not too much to say that we cannot achieve that degree of cooperation between business and government, between labor and industry, and between the people and the Congress until all of the facts are sifted and the actual situation revealed. If such an investigation as President Roosevelt proposes discloses that aside from isolated cases there is no such monopolistic control of wealth and industry, that fact would do much to set at rest the fears which have been fomented and which have fermented in this Nation to produce the unhealthy and dangerous conditions that today exist. If, on the other hand, such an investigation should disclose that these charges by the President and his spokesmen are not unfounded or exaggerated, it would become apparent that the safety of our constitutional government would require immediate legislation to break such monopolistic control forthwith. In that case there would be no difficulty in securing such legislation. The country should go along with President Roosevelt in his request, and Congress should cooperate to the fullest extent in determining what the situation really is. [Applause.]

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7626) was laid on the table.

COMPLETION, MAINTENANCE, AND OPERATION OF FORT PECK PROJECT, MONTANA

The Clerk called the next bill, S. 2650, to authorize the completion, maintenance, and operation of the Fort Peck project for navigation, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I understand this is one of the bills for which there will be a request to suspend the rules and pass the bill. I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RESTORING RIGHT OF APPEAL TO SUPREME COURT IN CERTAIN CASES INVOLVING CLAIMS OF THE SIOUX INDIANS

The Clerk called the joint resolution (H. J. Res. 438) restoring the right of appeal to the Supreme Court in certain cases involving claims of the Sioux Indians.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. COCHRAN. Mr. Speaker, I object.

PUBLIC GROUND FOR THE SMITHSONIAN GALLERY OF ART

The Clerk called the joint resolution (H. J. Res. 599) to set apart public ground for the Smithsonian Gallery of Art, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. WOLCOTT. Mr. Speaker, a month ago I asked that this bill be passed over without prejudice. At that time I raised certain objections to the bill. I understand the Committee on the Library has certain amendments to offer in order to meet the suggestions I made at that time. With the understanding that those amendments are to be offered, I withdraw any other objection I may have to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Whereas there exists no suitable building for properly housing and displaying the national collections of fine arts comprising paintings, sculptures, bronzes, glass, porcelain, tapestry, furniture,

jewelry, and other types of art; to display portraits of eminent American men and women; and to exhibit the works of artists deserving of recognition: Now, therefore, be it

Resolved, etc., That there be assigned by the President for these purposes a suitable tract of public land in the Mall of the city of Washington between Fourth and Fourteenth Streets and Constitution Avenue and Independence Avenue.

SEC. 2. (a) A Commission, to be called the Smithsonian Gallery of Art Commission (hereinafter referred to as the "Commission"), comprising a member to be designated by the Regents of the Smithsonian Institution; the Secretary of the Smithsonian Institution; a member to be designated by the Secretary of the Treasury; the Chairman of the National Capital Park and Planning Commission; the Chairman of the Commission of Fine Arts; and the Chairman of the Art Commission of the Smithsonian Institution is hereby created and authorized to make all preliminary investigations and to secure appropriate designs, by competition or otherwise, for a building to be constructed on the site above described, said building to be so designed as to permit of future expansion and for landscaping its surroundings. The Commission shall choose a Chairman from its own membership.

(b) The members of the Commission shall serve as such members without compensation, and the Commission shall terminate upon the submission to and approval by the Regents of the Smithsonian Institution (hereinafter referred to as the "Regents") of the said design for the building and grounds.

(c) The Commission may employ such technical, clerical, and other assistants and make such expenditures (including expenditures for personal services at the seat of government and elsewhere) as may be necessary for the performance of the duties vested in the Commission: *Provided*, That architectural, engineering, and other necessary consultants may be employed without regard to the civil-service laws and the Classification Act of 1923, as amended. All expenditures of the Commission, including the cost of any design which may be accepted, and the compensation of a jury of award in the event a competition is held shall be allowed and paid upon presentation of itemized vouchers therefor approved by its Chairman. To carry out the provisions of this section there is hereby authorized to be appropriated the sum of \$40,000.

SEC. 3. (a) The Regents are hereby authorized to solicit and receive subscriptions of funds from private sources for the purposes specified in this subsection. Funds so received shall be placed in a special deposit account with the Treasurer of the United States and may be expended by the Regents to meet the cost of the construction of the building, including furnishings and equipment thereof, to obtain necessary drawings and specifications, make necessary surveys and estimates of cost, defray necessary administrative expenses, and secure other needful services.

(b) The Regents may, subject to the approval of the President, authorize the preparation of the site and the construction of the building, including approaches and landscaping of the grounds: *Provided*, That the Director of Procurement, Treasury Department, shall supervise the preparation of the plans and specifications, make all necessary contracts, and supervise construction.

(c) The name of the building shall be the Smithsonian Gallery of Art (hereinafter referred to as the "Gallery"), and it shall be under the supervision and control of the Regents and the Secretary of the Smithsonian Institution.

SEC. 4. (a) It shall be the policy of the Regents to maintain a worthy standard for the acceptance of art objects for exhibition in the Gallery, and to foster by public exhibitions from time to time in Washington and other parts of the United States a growing appreciation of art, both of past and contemporary time; and the Regents are hereby authorized to solicit and receive private donations of works of art and contributions of funds from private sources for the purchase of works of art. Funds so received shall be placed in a special deposit account with the Treasurer of the United States and may be expended by the Regents for the purchase of works of art.

(b) In order to encourage the development of contemporary art and to effect the widest distribution and cultivation in matters of such art, the Regents are hereby authorized to solicit and receive funds from private sources, to acquire (by purchase or otherwise) and sell contemporary works of art or copies thereof, to employ artists and other personnel, award scholarships, conduct exhibitions, and generally to do such things and have such other powers as will effectuate the purposes of this subsection. Funds received by the Regents under this subsection shall be placed in a special deposit account with the Treasurer of the United States and may be expended by the Regents for the purposes enumerated in this subsection and for no other purposes: *Provided*, That the Regents shall not incur any obligations under this subsection in excess of the funds available therefor.

SEC. 5. The Director of Procurement, the Administrator of the Public Works Administration, and other agencies of the Government are authorized to donate to the Gallery any works of art now or hereafter under their control.

SEC. 6. Such objects of art as the Government or the Smithsonian Institution now possess, or such as may hereafter be acquired, may be housed or exhibited in the Gallery, with the approval of and under such regulations as the Regents and Secretary of the Smithsonian Institution may prescribe.

SEC. 7. The Regents may appoint and fix the compensation and duties of a Director of the Gallery and may employ such other

officers and employees as may be necessary for the efficient operation and administration of the Gallery.

Sec. 8. There are hereby authorized to be appropriated annually such sums as may be necessary to maintain and administer the Gallery, including the salaries of the Director and of other necessary officers and employees, and for special public exhibitions at Washington and elsewhere.

With the following committee amendments:

Page 1, strike out lines 3 and 4 and lines 1 and 2 on page 2 and insert the following: "That for the purpose of providing a site for a suitable building for properly housing and displaying the national collection of fine arts, comprising painting, sculptures, bronze, glass, porcelain, tapestry, furniture, jewelry, and other types of art; to display portraits of eminent American men and women; and to exhibit the works of artists deserving of recognition, the National Capital Park and Planning Commission shall designate, and the President shall assign a suitable tract of public land in the District of Columbia between Fourth and Fourteenth Streets and Constitution and Independence Avenues."

Page 2, line 10, after the word "arts", insert "the chairman of the Joint Committee on the Library; the chairman of the Committee on the Library of the House."

Page 2, line 16, after the word "otherwise", insert "preferably by competition."

Page 2, line 19, insert "parking arrangements."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The preamble was stricken out.

The bill was passed and a motion to reconsider was laid on the table.

SPRINGFIELD-GREENVILLE MEMORIAL COMMISSION

The Clerk called the joint resolution (S. J. Res. 211) establishing a Springfield-Greenville Memorial Commission to formulate plans for the construction on Memorial Common, Springfield, Ohio, of a monument to commemorate the Battle of Piqua, and for the construction of a memorial building to commemorate the Treaty of Greene Ville at Greenville, Ohio.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

Mr. TABER, Mr. RICH, and Mr. COSTELLO objected.

MONUMENT TO THE MEMORY OF GEN. FREDERICK FUNSTON

The Clerk called the next bill, H. R. 6153, to provide for the erection of a monument to the memory of Gen. Frederick Funston.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the sponsor of the bill if this matter has been approved by the National Park and Planning Commission?

Mr. ALESHIRE. It has been approved by the Fine Arts Commission.

Mr. RICH. Has the National Park and Planning Commission approved it?

Mr. ALESHIRE. I do not know that they have.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH, Mr. WOLCOTT, and Mr. TABER objected.

PUBLIC-SCHOOL BUILDING, MASON COUNTY, STATE OF WASHINGTON

The Clerk called the next bill, H. R. 6970, to provide funds for cooperation with school district No. 2, Mason County, State of Washington, in the construction of a public-school building, to be available to both white and Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

U. S. S. "PANAY"

The Clerk called the next bill, H. R. 8763, to provide pension benefits at wartime rates on account of disability or death incurred in line of duty in the armed forces of the United States resulting from the bombing of the U. S. S. *Panay* incident to the conflict in the Far East, and for other purposes.

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Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. GASQUE. Mr. Speaker, reserving the right to object, I may state that, due to a report from the Veterans' Administration and also a favorable verbal report from the State Department, the members of the committee which reported out this bill were led to believe that the indemnity received on account of the injuries and deaths that occurred in connection with the *Panay* incident would be covered into the Treasury, and that this bill, or some other, would be the only way to get the money out of the Treasury for these beneficiaries. Since then we have had different information, which necessitates a further study of the bill. If the gentleman will withdraw his request, Mr. Speaker, I ask unanimous consent that the bill may be recommitted to the Committee on Pensions for further study.

Mr. COSTELLO. On that basis, Mr. Speaker, I am pleased to withdraw my request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GASQUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to insert therein a letter from the Secretary of State regarding this matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

DEPARTMENT OF STATE,
Washington, May 2, 1938.

The Honorable A. H. GASQUE,
Chairman, Committee on Pensions, House of Representatives.

MY DEAR MR. GASQUE: I refer to your request transmitted to this Department by telephone by Mr. Fred R. Miller, concerning the procedure to be followed in paying the indemnities to be paid in the so-called *Panay* claims.

The money received on account of the *Panay* incident will be deposited by the Secretary of State in the Treasury of the United States pursuant to an act of Congress approved February 26, 1896, containing provision that:

"Hereafter all moneys received by the Secretary of State from foreign governments and other sources, in trust for citizens of the United States or others, shall be deposited and covered into the Treasury." (29 Stat. 32.)

With relation to the subsequent procedure in connection with the distribution of any such money the same act also provides that:

"The Secretary of State shall determine the amounts due claimants, respectively, from each of such trust funds, and certify the same to the Secretary of the Treasury, who shall, upon the presentation of the certificates of the Secretary of State, pay the amounts so found to be due."

and that:

"Each of the trust funds covered into the Treasury as aforesaid is hereby appropriated for the payment to the ascertained beneficiaries thereof of the certificates herein provided for."

It will be seen that the distribution of the money can therefore be made without a further act of Congress. The Secretary of State will prepare a certificate in each case, in which will be stated the amount due the claimant. This certificate will be sent to the person to whom distribution is to be made, and payment will be made directly to him upon submission of the certificate to the Secretary of the Treasury.

In death cases, concerning which you particularly inquired, the money is disbursed to the surviving dependents, usually the widow, children, or parents.

Sincerely yours,

CORDELL HULL.

PENSIONS FOR SERVICE IN THE WAR WITH SPAIN, THE PHILIPPINE INSURRECTION, AND THE CHINA RELIEF EXPEDITION

The Clerk called the next bill, H. R. 6289, granting a pension to certain soldiers, sailors, and marines for service in the War with Spain, the Philippine Insurrection, and the China Relief Expedition.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PENSIONS TO NEEDY WAR VETERANS

The Clerk called the next bill, H. R. 8729, granting pensions and increases of pensions to needy war veterans.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CLAIMS OF GRAIN ELEVATORS AND GRAIN FIRMS

The Clerk called the joint resolution (H. J. Res. 421) authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOT SPRINGS NATIONAL PARK, ARK.

The Clerk called the next bill, H. R. 5763, to provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes.

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to ask the sponsor of this bill about acquiring additional lands for Hot Springs National Park. This is about the third bill of this character we have had before us in the last 2 years. How much land is it expected to take into this national park at Hot Springs, Ark.?

Mr. McCLELLAN. There was no other bill in connection with acquiring additional area. The only other bill that has been before the House since I have been a Member was to acquire some property as an approach to a road on West Mountain. This property has not yet been acquired.

Mr. RICH. Were not the bills that were brought up last year enacted into law?

Mr. McCLELLAN. Yes; but that did not involve this question at all.

Mr. RICH. What I am asking is, eventually will the Hot Springs National Park take in the entire State of Arkansas?

Mr. McCLELLAN. I do not believe the gentleman wants to make any such suggestion as that. I am quite confident he does not.

Mr. RICH. This is the third bill enlarging this park in 2 years.

Mr. McCLELLAN. If I may explain what the other bill covered, and there was only one other, I am sure the gentleman will not have so much objection to this one. The other bill related to nothing except an approach where they have already constructed a road on West Mountain. The bill considered last year, of which the gentleman speaks, did not involve the acquisition of anything except possibly three lots of city property at each entrance to the reservation in order to make an appropriate entrance to West Mountain driveway. That is all that bill covered.

Mr. RICH. How much real estate is involved in this purchase?

Mr. McCLELLAN. This proposed extension includes approximately 4,787 acres. The purpose of this bill is to get authority to accept any donations that might be made to the park area. This is a mountainous section adjacent to Hot Springs and it ought to be a part of the park reservation.

Mr. RICH. Does the gentleman expect the Federal Government to buy this land when we pass this bill?

Mr. McCLELLAN. Certainly the Government can never buy it without a specific appropriation being made for that purpose. The object of this bill is to get the boundaries extended so as to get as much of this land donated as possible. When we come back here asking for appropriations, then in good faith we will have to make a showing that the purchase of this land is justified and the land ought to be acquired and added to the park area.

Mr. RICH. Does the gentleman have any idea what this land will cost eventually?

Mr. McCLELLAN. I cannot answer that inquiry. No one can say what land will cost in the future. It is not our purpose now to buy any of it at present.

Mr. RICH. The point is that when you do the people who own the land will figure that all we need is an appropriation, and then a lot of fellows will come to Congress asking us to make an appropriation to buy the land.

Mr. McCLELLAN. I am quite sure we will be on guard against that. If the gentleman has read the report, he will note that the recommendation is made that this is most advisable for the preservation of the present property of the park and especially is that true with regard to the hot springs.

Mr. RICH. Has the Public Lands Committee approved this?

Mr. McCLELLAN. Yes; the bill has been reported out unanimously by the Public Lands Committee, and is approved by the Department of the Interior and the National Park Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following lands, to wit:

So much of the NE $\frac{1}{4}$ sec. 33, T. 2 S., R. 19 W., as is now privately owned;

The NW $\frac{1}{4}$ sec. 34, T. 2 S., R. 19 W.;

All privately owned land in the W $\frac{1}{2}$ sec. 27, T. 2 S., R. 19 W.;

The SE $\frac{1}{4}$ sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 27, W $\frac{1}{2}$ sec. 22, SW $\frac{1}{4}$ sec. 15, SE $\frac{1}{4}$ sec. 16, NE $\frac{1}{4}$ sec. 21, S $\frac{1}{2}$ sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 28, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 29, all privately owned land in NE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 30, SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 30, W $\frac{1}{2}$ sec. 31, N $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 31, SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 31, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 31, all lying and being situated in T. 2 S., R. 19 W.;

Sec. 36, SE $\frac{1}{4}$ sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 35, all lying and being situated in T. 2 S., R. 20 W.;

NE $\frac{1}{4}$ sec. 2, N $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 2, N $\frac{1}{2}$ sec. 1, N $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 1, all lying and being situated in T. 3 S., R. 20 W.;

N $\frac{1}{2}$ sec. 6, N $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 6, NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 6, all lying and being situated in T. 3 S., R. 19 W.;

Blocks 189, 195, and 196, city of Hot Springs;

Lot 13, block 125, city of Hot Springs;

Fountain Street adjoining lots 13, block 125, and blocks 195 and 196, city of Hot Springs;

Reserve Avenue in city of Hot Springs from Palm Street to Cypress Street.

All or any part of such lands above described, when acquired by the Secretary of the Interior on behalf of the United States, shall be a remaining part of the Hot Springs National Park, subject to all laws and regulations applicable thereto: *Provided*, That the lands hereinabove described may be acquired within funds already appropriated, and there is hereby authorized to be appropriated for said purposes such additional sums as may be necessary to carry out the purposes of this act.

With the following committee amendments:

Page 2, line 4, before the word "northwest", insert "all privately owned lands in the."

Page 3, line 1, insert the words "All of" at the beginning of the line.

Page 3, line 2, strike out "southeast quarter."

Page 3, line 3, strike out "southwest quarter northeast quarter section 35."

Page 3, strike out all of line 12.

Page 3, line 15, after the word "Blocks", insert "27."

Page 3, line 16, strike out "Lot 13" and insert in lieu thereof "Lots 8 to 13, inclusive."

Page 3, line 16, after the semicolon add "Lots 4, 5, 7, 8, 9, 10, 11, 12, 13, and 14, block 188, city of Hot Springs;"

Page 3, after line 20, add the following:

"Two unnamed streets, 20 feet wide, extending from Fountain Street to Government Boundary and running between blocks 125 and 195 and blocks 195 and 196, respectively."

Page 3, line 23, strike out "a remaining" and insert in lieu thereof "and remain a."

Page 3, line 25, change the colon to a period and beginning with the word "Provided" strike out the remainder of the bill.

Add the following new sections:

"Sec. 2. The following-described lands are hereby granted to the city of Hot Springs, Ark., for the purpose of straightening Whittington Avenue in said city; tract A, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue 52.6 feet easterly from Government Monument No. 131, run thence westerly along said line 236 feet to a point 107.1 feet westerly from Government Monument No. 132, run thence easterly across the United States Hot Springs Reservation on an included angle of 8 degrees 53 minutes 74 feet, thence easterly a distance of 157.4 feet to the place of beginning; tract B, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue 12.5 feet easterly from Government Monument No. 134, run thence westerly along

said line a distance of 214.3 feet to a point 12.3 feet westerly from Government Monument No. 135, run thence easterly across the United States Hot Springs Reservation on a 7 degree 30 minute curve to the left (R-763.94) a distance of 205 feet more or less to the place of beginning; tract C, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue 10.7 feet easterly from Government Monument No. 136, run thence westerly along said line a distance of 205.7 feet to a point 11.8 feet westerly from Government Monument No. 137, run thence easterly in a straight line across United States Hot Springs Reservation to the place of beginning; tract D, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue 19 feet easterly from Government Monument No. 139, run thence westerly along said line 174.0 feet to a point 26.5 feet westerly from Government Monument No. 140, run thence easterly in a straight line across the United States Hot Springs Reservation 170.2 feet more or less to the place of beginning; tract E, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue 25 feet easterly from Government Monument No. 142, run thence westerly along said dividing line 172.5 feet to a point 15.8 feet westerly from Government Monument No. 143, run thence easterly across United States Hot Springs Reservation on a 12 degree 30 minute curve to the left (R-458.37) a distance of 163.6 feet more or less to the place of beginning; tract F, beginning at a point on the dividing line between the United States Hot Springs Reservation and the north branch of Whittington Avenue 6.6 feet westerly from Government Monument No. 124, run thence easterly along said line 50 feet, run thence southerly across United States Hot Springs Reservation to a point on the north line of the south branch of Whittington Avenue 59.6 feet westerly from Government Monument No. 133, run thence westerly along said line 50.2 feet, run thence northerly across the United States Hot Springs Reservation in a straight line to the place of beginning.

"Sec. 3. There is hereby authorized to be appropriated for the acquisition of lands described in section 1 hereof, such sums as the Congress may from time to time determine."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOURTH INTERNATIONAL CONFERENCE ON PRIVATE AIR LAW

The Clerk called the joint resolution (H. J. Res. 636) to authorize an appropriation for the expenses of participation by the United States in the Fourth International Conference on Private Air Law.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,500, or so much thereof as may be necessary, for the expenses of participation by the United States in the Fourth International Conference on Private Air Law, to be held in Belgium, or elsewhere in Europe, during the fiscal year 1939, including personal services in the District of Columbia and elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; official cards; printing and binding; entertainment; local transportation; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payment may have been made for any of the purposes herein specified.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF POSTMASTERS

The Clerk called the next bill, H. R. 8037, to amend the law relating to appointment of postmasters.

Mr. RAMSPECK. Mr. Speaker, reserving the right to object, the Rules Committee has reported a rule to send to conference the bill (H. R. 1531) which deals with the same subject matter, and this will probably be considered tomorrow. For this reason I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PERMISSION TO BRING SUIT ON BEHALF OF THE INDIANS OF CALIFORNIA

The Clerk called the next bill, S. 1651, to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of

the Indians of California," approved May 18, 1928 (45 Stat. 602).

Mr. COCHRAN and Mr. SHEPPARD rose.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXPORTATION OF TOBACCO SEED AND PLANTS

The Clerk called the next bill, H. R. 6830, to prohibit the exportation of tobacco seed and plants, except for experimental purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation or/and transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

Sec. 2. Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CACHE NATIONAL FOREST, UTAH

The Clerk called the next bill, S. 2221, to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Cache National Forest in the State of Utah.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, the Department of the Interior in its report to the committee has recommended an amendment to except the proceeds from mineral resources. I think, probably, the committee inadvertently left out the amendment. So if there is no objection to the bill—otherwise I hope it will be acceptable to the committee to agree to the amendment—I propose to offer on page 2, line 3, after the word "resources," to insert the words "other than mineral," in compliance with the recommendation of the Interior Department.

Mr. DOXEY. Mr. Speaker, I may say to the gentleman from Michigan that the committee which reported the bill has no objection to the adoption of the amendment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the Cache National Forest in the State of Utah which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage; and to pay for said lands that proportion of the entire receipts from the sale of natural resources, and the occupancy of publicly owned lands within said national forest which is equal to that proportion of the gross area of said national forest situated in the State of Utah hereby is authorized to be appropriated for expenditure for that purpose by the Secretary of Agriculture until said lands have been acquired. So far as the State of Utah may be concerned, the provisions of the acts of May 23, 1908 (35 Stat. 260); section 500, title 16, United States Code, of March 4, 1913 (37 Stat. 843); and section 501, title 16, United States Code, shall be inoperative in relation to the receipts so appropriated, but nothing herein contained shall diminish payments to or expenditures within the State of Idaho under the provisions of said acts.

Mr. WOLCOTT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 2, in line 3, after the word "resources", insert "other than mineral."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAN BERNARDINO AND CLEVELAND NATIONAL FORESTS, CALIF.

The Clerk called the bill (H. R. 7933) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the San Bernardino and Cleveland National Forests in Riverside County, Calif.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. This bill is similar to the one that we just passed. I have no objection to it provided the committee accepts a like amendment which I shall offer.

Mr. DOXEY. Mr. Speaker, it is perfectly agreeable to the committee to accept the amendment the gentleman from Michigan refers to.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the San Bernardino and Cleveland National Forests in the county of Riverside, State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands from the entire receipts from the sale of natural resources or occupancy of public land within the San Bernardino and Cleveland National Forests in the county of Riverside, State of California, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired.

With the following committee amendment:

Page 2, strike out lines 4, 5, 6, 7, 8, and 9 and insert the following: "those proportions of the entire receipts from the sale of natural resources or occupancy of public land within the San Bernardino and Cleveland National Forests which are equal to the proportion of the net areas of said forests which are within the county of Riverside, State of California, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That so long as said receipts are used in the manner herein authorized, the provisions of the act approved May 23, 1908 (U. S. C., title 16, sec. 500), shall not be applicable to said county of Riverside."

Mr. WOLCOTT. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT to the committee amendment: On page 2, line 10, after the word "resources," insert "other than minerals."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SEMINOLE TRIBE OF INDIANS

The Clerk called the bill (H. R. 7271) authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Tribe of Indians.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MAKING NOVEMBER 11 IN EACH YEAR A LEGAL HOLIDAY

The Clerk called the bill (H. R. 6656) making the 11th day of November in each year a legal holiday.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the 11th day of November in each year, a day to be dedicated to the cause of world peace and to be hereafter celebrated and known as Armistice Day, is hereby made a legal public holiday to all intents and purposes and in the same manner as the 1st day of January, the 22d day of February, the 30th day of May, the 4th day of July, the first Monday of September, and Christmas Day are now made by law public holidays.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRINITY NATIONAL FOREST, CALIF.

The Clerk called the bill (H. R. 8165) to add certain lands to the Trinity National Forest, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to existing valid claims, the following-described lands be, and the same are hereby, added to the Trinity National Forest, Calif., and made subject to all laws and regulations relating to said national forest: The west half section 6, township 33 north, range 9 west; sections 1 and 2, north half northeast quarter section 11, northwest quarter and north half north northeast quarter section 12, township 33 north, range 10 west; sections 35 and 36, township 34 north, range 10 west, all Mount Diablo meridian.

With the following committee amendment:

At the end of the bill strike out the period, insert a colon and "*Provided*, That said lands shall not be subject to location or entry under the mineral laws of the United States."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RELIEF OF CERTAIN PERSONS FOR LOSS OF CROPS

The Clerk called the joint resolution (S. J. Res. 201) for the relief of certain persons conducting farming operations whose crops were destroyed by hailstorms.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. FULMER. Mr. Speaker, will the gentleman give me the opportunity to explain the resolution?

Mr. TABER. I reserve the objection, Mr. Speaker.

Mr. FULMER. This joint resolution does not create any additional appropriation other than what will be made in the regular course. These claims have been made or will be made and submitted to the Department of Agriculture; that is, the Secretary may pay any claim or any part of any claim out of these funds, being an additional amount to rental-benefit payments under the Soil Conservation Act. These farmers lost everything. The States have suspended their taxes. Claims have been made in line with the authorization of the Department, and it is in line with what we have done with a great many Western States in other instances, where they have had drought and have had to take care of cattle.

Mr. TABER. Is it a general bill? It is not a general bill?

Mr. FULMER. It is a bill for just what happened in South Carolina.

Mr. TABER. They have no worse hailstorms there than other folks have had to contend with and I can see no reason why the gentleman's farmers should be reimbursed for hailstone damage and people in other parts of the country not reimbursed. I shall have to object or have the bill passed over.

Mr. RICHARDS. Mr. Speaker, these funds which are to be used as a result of this bill will come out of the relief appropriations for 1937.

Mr. TABER. I would not feel that I was being fair to the country to permit a bill to go through for any particular part of the country like this. I ask unanimous consent that the bill be passed over with prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

COMPOSITION OF UNITED STATES NAVY

The Clerk called the bill (H. R. 7777) to further amend section 3 of the act entitled "An act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington February 6, 1922, and at London April 22, 1930, at

the limit prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes," approved March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., sec. 496).

The SPEAKER pro tempore. Is there objection?

Mr. UMSTEAD. Mr. Speaker, I reserve the right to object to have some explanation made of this proposed bill.

Mr. SCOTT. Mr. Speaker, the bill has to do with the procurement of aircraft by the Navy. In 1934, with the passage of the Vinson-Trammell Navy Act, an amendment was added which intended to limit the profit on shipbuilding to 10 percent. It included scientific equipment, and included the aircraft industry in the procurement. In 1936 a bill was brought before the House to exempt the scientific equipment from the operation of that law because scientific-equipment manufacture was in an experimental condition and the law was working a hardship upon the Navy and on the manufacturers of that equipment.

That bill passed the House exempting scientific equipment from the operation of the 10-percent clause of the Vinson-Trammell Act. Based on the same consideration, that the aircraft industry as distinguished from the shipbuilding industry, is an experimental industry and that the operation of this bill has a detrimental effect on Navy procurement, I introduced the bill to exempt the aircraft industry from the operation of that 10-percent clause. It would not exempt shipbuilding. The House has consistently voted down the proposition of applying the 10-percent clause to army procurement.

This bill has the favorable report of the Navy Department. They say that in order to get their aircraft equipment at as good a figure as the Army they would like to see this measure passed.

Mr. UMSTEAD. As I understand the gentleman, the bill which he refers to as having passed the House in 1936 merely had to do with instruments and not the airplanes.

Mr. SCOTT. That is right.

Mr. UMSTEAD. If I understand the gentleman's statement, the bill now under consideration includes the purchase of all aircraft for the Navy as well as instruments and supplies referred to by the gentleman.

Mr. SCOTT. Yes. This bill, of course, does not affect the instruments because that was done in the bill of 1936.

Mr. UMSTEAD. Mr. Speaker, until I have an opportunity to study the bill further, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CIVILIAN NAVAL TRAINING

The Clerk called the next bill, H. R. 9965, to provide for civilian naval training, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to provide, at naval training stations or elsewhere, including naval vessels, for the naval instruction and training of such civilians as may be selected upon their own application; to use, for the purpose of providing said naval instruction and training, such arms, ammunitions, accouterments, equipments, housing, vessels, boats, and transportation belonging to the United States as he may deem necessary; to furnish at the expense of the United States uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of the Navy may prescribe, or in lieu of furnishing such transportation and subsistence to pay them travel allowances at the rate of 5 cents per mile, or, at the option of the Secretary of the Navy, transportation in kind may be furnished, and in addition thereto candidates may be paid a subsistence allowance at the rate of 1 cent per mile within such limits as to territory as the Secretary of the Navy may prescribe for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the place of instruction and training, and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and medical attendance and supplies to persons receiving instruction and training during the authorized period thereof; to authorize such expenditures, from proper naval appropriations, as he may deem necessary for water, fuel, light, temporary structures, screening, and other expenses incident to

said naval instruction and training and the theoretical winter instructions in connection therewith; and to sell to persons receiving naval instruction and training, for cash and at cost price, plus 10 percent, clothing and small stores, the amount thereof sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall be credited to the "Clothing and small-stores fund." The Secretary of the Navy is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons undergoing naval training and instruction as herein authorized; to fix the periods during which such naval training and instruction shall be provided; to prescribe rules and regulations for the government of such schools or other activities as may be established hereunder; and to assign thereat officers, warrant officers, and enlisted men of the Navy and Marine Corps in such numbers and upon such duties as he may designate.

SEC. 2. Persons undergoing instruction and training shall, during such short periods, be subject to the laws, regulations, and orders for the government of the Navy.

SEC. 3. Persons undergoing naval training and instruction as herein authorized, under specific orders for such training and instruction, who suffer personal injury or contract disease in line of duty while en route to or from the places designated for their naval instruction and training and while in attendance thereat, shall, under such regulations as the President may prescribe, be entitled, at Government expense, to such medical, surgical, and hospital care as is necessary for the appropriate treatment of such injury or disease until the disability resulting from such injury or disease cannot be materially improved by hospitalization or treatment, and to the necessary transportation and subsistence incident to such medical and hospital treatment and return to their homes when discharged therefrom: *Provided*, That the above provisions shall not apply while such persons are engaged only in the theoretical winter instructions or correspondence courses of instruction at their homes.

SEC. 4. If the death of any person occurs while undergoing naval instruction and training or hospital treatment contemplated by this act, the United States shall, under such regulations as the President may prescribe, pay the necessary expenses for recovery of the body, its preparation for burial including the use of such of the uniform and articles of clothing issued to him as may be required, interment (or cremation if requested by his relatives), and transportation of his remains, including round-trip transportation and subsistence of an escort, to his home or the place where he received orders for the period of training upon which engaged at the time of his death, or to such other place as his relatives may designate provided the distance to such other place be not greater than the distance to his home: *Provided*, That when the expenses of the recovery, preparation, and disposition of remains herein authorized, or any part thereof, are paid by individuals, such individuals may be reimbursed therefor in an amount not exceeding that allowed by the Government for such expenses.

With the following committee amendment:

Page 3, line 9, after the words "Marine Corps", insert the words "and Navy and Marine Corps Reserves."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALES OF SURPLUS SCRAP MATERIALS OF THE NAVY

The Clerk called the next bill, H. R. 9611, to permit sales of surplus scrap materials of the Navy to certain institutions of learning.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I notice these sales can be made only to accredited schools, colleges, and universities. The word "accredited" in its general sense means authorized. When the word "accredited" is applied to a school, an institution of learning, it implies that the institution of learning has established and maintains a certain curriculum and has established and maintains certain scholastic ratings among its students. I wonder why the maintenance of a certain curriculum or certain scholastic ratings are made conditions precedent to the sale of this scrap material.

Mr. BUCK. Mr. Speaker, the language used in the pending bill is copied directly from Public, 249, passed at the second session of the Seventy-first Congress, in which the Secretary of the Navy was given authority in his discretion to dispose of, except for transportation and other charges, to properly accredited schools, colleges, and universities, for uses in courses of vocational training and instruction such machinery, mechanical equipment, and tools as may be obsolete or no longer needed by the Navy. The only purpose of this bill is to permit the Navy Department to dispose of, for the same purposes, the scrap metal that may be used at

these schools. I take it that the Navy Department has found out just what this word "accredited" means and that they prefer to use it in connection with this bill that is now pending. It seems to me that we might be confronted, Mr. Speaker, with the case of a school organized on a fictitious basis simply for the purpose of buying this scrap material and disposing of it where we would not want it disposed of. The language carried in the bill would obviate that difficulty.

Mr. WOLCOTT. The word "accredited" is susceptible of different interpretations. The school may be accredited by the Secretary of the Navy, it may be accredited by the Naval Academy, it may be accredited, if it is a high school, by colleges; so it seems to me that the word is open to such a diversity of meaning that we should clarify it. I cannot reconcile the thought the gentleman says the Secretary of the Navy has, the desire to get rid of some of this old material with his method which might discriminate against certain colleges that might not be accredited in accordance with the interpretation of the word by the Secretary of the Navy.

Mr. BUCK. If this were a new matter, there might be some merit to the argument offered by the gentleman, but for 8 years this law, or a similar law with the same language in it, has been in existence and disposition of everything except scrap metal has been made under it.

Mr. WOLCOTT. What interpretation has the Secretary of the Navy put on the word "accredited"?

Mr. BUCK. I would have been glad to have informed myself if I had known the gentleman was going to raise an objection. I cannot give him the information.

Mr. WOLCOTT. For the purpose of future determination of our intent here today, can the gentleman tell me that it is not intended to restrict this to that class of colleges which are compelled, in order to be accredited, to maintain a certain curriculum and a certain scholastic standing?

Mr. BUCK. I am certain there is no such intention involved.

Mr. WOLCOTT. Then it is not the intention of the Congress to put that limitation in this act and restrict colleges which might not be accredited by the Naval Academy or a high school which might not be accredited by universities from getting the benefit of this act?

Mr. PHILLIPS. If I may answer the gentleman's question, having been asked to look after this bill, may I say there is no disposition to put any restrictions of any kind on any institution seeking materials of this kind. Does that answer the gentleman's question?

Mr. WOLCOTT. I wonder if it would be satisfactory to the gentleman if I offered an amendment which I planned to offer striking out the word "accredited," because the sale is made within the discretion of the Secretary of the Navy. If that is the interpretation which the gentleman thinks should be placed upon the word, would we not be safer and would not the legislative intent be clarified by striking out that word, leaving it within the discretion of the Secretary of the Navy as to which schools he shall sell this surplus material?

Mr. PHILLIPS. Will the gentleman be good enough to state his reasons for the objection to that word?

Mr. WOLCOTT. I explained heretofore that the word "accredited" as it applies to an institution of learning contemplates that the college maintain a certain curriculum and certain scholastic standards which are set up for it by some other institution or some other board. We speak of accredited schools. We say that a certificate from an accredited college, with certain limitations, will admit an appointee to the Naval Academy without further mental examination. We say that a diploma from an accredited high school will admit students to certain universities without further examination. Whether that high school or college is accredited depends upon the requirements of the institution taking those students. So who accredits these institutions to make them eligible to purchase surplus Navy supplies? Is it the Secretary of the Navy? If it is, then, of course, it is within his discretion as to whether he accredits any school or not. He does not have to accredit any school in order to apply this

act. I think we made a mistake when we passed the original act. I want to remove all limitations so that the fact a school is not an accredited school from a scholastic standpoint will not deny them the privileges of this act if they want the material.

Mr. BUCK. Frankly, rather than see the bill defeated I am perfectly willing to accept the gentleman's suggestion, but does he not think we are making a mountain out of a molehill? What is the Secretary going to do when he disposes of the material? He has to look up to see whether a particular college or school is accredited.

Mr. WOLCOTT. That is my argument. If you strike out the word "accredited" the Secretary of the Navy will not have to look up the matter.

Mr. BUCK. But the existing law, Public, 249, will still be in effect.

Mr. WOLCOTT. I would have used the same argument against the law which the gentleman has cited had I been a Member of Congress at that time, because I think it is a restriction on the application of the act which the Congress does not intend. I want this act to be in such shape that a college does not have to meet certain accredited requirements imposed by other higher institutions. I want them to have the advantage of this act, because, frankly, the smaller colleges which are growing and which in the future might be accredited institutions need this help more than the so-called accredited institutions.

Mr. BUCK. I think it is the smaller institutions in the vicinity of the navy yards and the naval manufacturing establishments which are the ones that will use the material, not the colleges of higher education.

Mr. WOLCOTT. If they are accredited within the discretion of the Secretary of the Navy, then the provision of the law which compels this sale to be made within his discretion qualifies the act and protects the Secretary of the Navy and the Government in every respect.

Mr. BUCK. If the gentleman insists on his amendment, I will accept it.

Mr. WOLCOTT. If there is no particular reason for it, it can be fought out in conference.

Mr. PHILLIPS. While I do not undertake to speak for the Committee on Naval Affairs, personally I do not think it makes any difference, as a matter of fact. I can only give my opinion, however.

Mr. WOLCOTT. I may say to the gentleman if the Naval Affairs Committee convinces him after it has been accepted that it should not be in there, and they give the gentleman definite reasons, I will not raise any question when the conferees consider the matter.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1883, and for other purposes," approved August 5, 1882 (22 Stat. 296), is hereby amended by inserting before the period at the end of the fourth sentence thereof the following: "Provided, That the Secretary of the Navy is authorized, in his discretion, to sell, at the prices established for issue to naval activities, surplus scrap metals of the Navy, to accredited schools, colleges, and universities for use in courses of instruction in vocational training: *Provided further,* That any costs incident to the transportation or delivery of such scrap metals shall be charged to the purchaser."

Mr. WOLCOTT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 1, line 11, after the word "to", strike out the word "accredited."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LAND AT OR NEAR FORT MISSOULA, MONT.

The Clerk called the next bill, S. 3459, to authorize the Secretary of War to acquire by donation land at or near

Fort Missoula, Mont., for target range, military or other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to accept by donation approximately 2,700 acres of land at or near Fort Missoula, Mont., for target range, military, or other public purposes: *Provided*, That in the event the donor is unable to perfect or acquire title to any of the land tendered as a donation, condemnation of such land is authorized in the name of the United States and payment of any and all awards for title to such land as is condemned, together with the cost of the suit, shall be made by the donor.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT NIAGARA MILITARY RESERVATION, N. Y.

The Clerk called the next bill, H. R. 9123, to authorize the Secretary of War to lease to the village of Youngstown, N. Y., a portion of the Fort Niagara Military Reservation, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to provide facilities for sewerage and sewage treatment of the post of Fort Niagara, N. Y., and the village of Youngstown, N. Y., the Secretary of War be, and he is hereby, authorized to lease to the village of Youngstown, Niagara County, N. Y., a municipal corporation, for a term of 50 years, a tract of land not to exceed 4 acres adjacent to the northerly boundary of the Fort Niagara Military Reservation, N. Y., for the construction, operation, and maintenance by the village of Youngstown of an adequate sewage-treatment plant thereon, and also the use of a right-of-way for a sewer line extending from the easterly boundary of said reservation to said plant: *Provided*, That the location of said tract of land and right-of-way shall be approved by the Secretary of War, and the lease shall be subject to such provisions and conditions as he may prescribe: *Provided further*, That the consideration for said lease shall be the connection by the village of Youngstown of the present outfall sewer of the post of Fort Niagara with the proposed sewage-treatment plant, and the receipt and treatment in said plant of the sewage from said post, for which no charge shall be made by the village of Youngstown, except for chemicals used in treating said post sewage, the rate of such charge to be determined from time to time by the Secretary of War.

With the following committee amendment:

Page 2, after line 15, insert "*Provided*, That said lease shall not be granted until the Legislature of the State of New York shall have first provided by appropriate legislation that the granting of said lease shall not impair or invalidate any of the rights, title, or privileges granted to the United States pursuant to the act of the Legislature of New York passed April 21, 1840 (N. Y. Laws, 1840, ch. 155, p. 113)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF ROBINSON-PATMAN ANTIDISCRIMINATION ACT

The Clerk called the next bill, H. R. 8148, to amend Public Law No. 692, Seventy-fourth Congress, second session.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothing in the act approved June 19, 1936 (Public, No. 692, 74th Cong., 2d sess.), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit and supported in whole or in part by public subscriptions.

With the following committee amendment:

Page 1, strike out all of line 9.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF REMAINS OF MILITARY PERSONNEL AND CIVILIAN EMPLOYEES OF THE ARMY

The Clerk called the next bill, H. R. 9226, to amend the act of March 9, 1928, authorizing appropriations to be made for the disposition of remains of military personnel and civilian employees of the Army, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize appropriations to be made for the disposition of remains of military personnel and civilian employees of the Army," approved March 9, 1928, is hereby amended to read as follows: "That there is hereby authorized to be appropriated from time to time such sums as may be necessary for funeral expenses of the persons hereinafter designated, to be expended under such regulations as the Secretary of War may prescribe.

"Sec. 2. Authorized funeral expenses shall include the expenses of, and incident to, the recovery of bodies, cremation (only upon the request of relatives of the deceased), preparation for burial, transportation to the home of the deceased or to a national or other cemetery designated by proper authority, and interment.

"Sec. 3. Funeral expenses shall be allowed for (1) all persons in the Regular Army as composed under section 2, act of June 3, 1916, as amended (39 Stat. 166; U. S. C., title 10, sec. 4), who die while in the active military service; (2) accepted applicants for enlistment; (3) enlisted men who are discharged in hospitals and continue as inmates of said hospitals to the date of their death; (4) civilian employees of the Army or of the War Department who have been ordered by competent authority away from their homes in the United States to foreign countries, Hawaii, the Philippine Islands, Alaska, Puerto Rico, or the Canal Zone, and who die while on duty in such places or while performing authorized travel thereto or therefrom; (5) civilian employees of the Army or of the War Department who die on Army transports or while accompanying troops in the field, or who, while on Army transports or while accompanying troops in the field, incur injury or contract disease resulting directly in death away from their homes: *Provided*, That the benefits of this act will be denied in no case on the ground that the deceased was temporarily absent with or without leave when death occurred.

"Sec. 4. There is further authorized to be appropriated from time to time such sums as may be necessary for the expenses of preparation for burial and interment of military prisoners who die at military posts, of prisoners of war, and of interned alien enemies who die in prison camps in the United States; for the expenses of the removal of remains from abandoned posts to permanent military posts or national cemeteries, including the remains of Federal soldiers, sailors, or marines interred in fields, abandoned graves, or abandoned private or city cemeteries; and for the expenses of segregation of bodies in permanent American cemeteries in Great Britain and France.

"Sec. 5. In any case where funeral expenses authorized in section 3 hereof are borne by individuals, reimbursement to such individuals may be made of the amount allowed by the Government for such services, but no reimbursement shall be made of any expenses incurred prior to the enactment of this act which would not have been a proper charge against the Government prior to the date of approval thereof.

"Sec. 6. The act entitled 'An act to authorize an appropriation for the recovery of the bodies of officers, soldiers, and civilian employees,' approved March 8, 1928, is hereby repealed."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVILIAN EMPLOYEES OF THE UNITED STATES GOVERNMENT

The Clerk called the next bill, H. R. 10193, to authorize the President, when the public interest render such course advisable, to detail any civilian employee of the United States Government to temporary duty with the government of any American Republic or the Commonwealth of the Philippine Islands, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That on the recommendation of the Secretary of State, the President of the United States be, and hereby is, authorized, whenever he finds that the public interest render such a course advisable, upon agreement with the government of any other American Republic or the government of the Commonwealth of the Philippine Islands, if such government is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, other than those persons covered by the act of May 19, 1926 (44 Stat. 565), as amended by the act of May 14, 1935 (49 Stat. 218), to detail for temporary service of not exceeding 1 year, under such government any such person in the employ of the Government of the United States whose services can be spared; and to authorize such person to accept for the period of such detail an appointment, and the compensation and emoluments pertaining thereto, under the government to which detailed: *Provided*, That the President may, in extraordinary circumstances, extend the period of such detail for one or more additional periods of not to exceed 6 months each: *And provided further*, That while so detailed such person shall be considered, for the purpose of preserving his rights and privileges as such, an officer or employee of the Government of the United States and of the department or agency from which detailed and may continue to receive therefrom compensation and such allowances, if any, as he is authorized to receive under the act of June 10, 1922 (42 Stat. 625), as amended, but he shall receive only such compensation from the United States as, added to the compensation received from the foreign

government, shall not exceed one and one-half times the compensation he was receiving as an officer or employee of the United States at the time of detail, and may receive from the United States reimbursement for travel expenses to and from the place of detail when such reimbursement is not provided by the foreign government concerned.

With the following committee amendment:

Page 1, beginning in line 3, after the word "State", insert "or in the case of government of the Commonwealth of the Philippine Islands on the recommendation of the Secretary of War."

The committee amendment was agreed to.

Mr. MAY. Mr. Speaker, I offer a committee amendment: The Clerk read as follows:

On page 1, line 3, after the word "That", strike out the words "on recommendation of the Secretary of State, or in the case of the government of the Commonwealth of the Philippine Islands on the recommendation of the Secretary of War", and the comma.

On page 1, line 8, strike out the word "render" and insert in lieu thereof the word "renders."

On page 2, beginning on line 10, after the word "spared", strike out the semicolon and the following words "and to authorize such person to accept for the period of such detail an appointment, and the compensation and emoluments pertaining thereto, under the government to which detailed."

On page 2, line 17, after the word "detailed", insert a comma, and after the word "considered" delete the comma.

On page 2, beginning on line 20, after the word "detailed", strike out all including the remainder of line 20 to page 3, line 6, inclusive, and insert in lieu thereof the following: "and shall continue to receive therefrom compensation, and he shall receive additional compensation from the department or agency from which detailed not to exceed 50 percent of the compensation he was receiving as an officer or employee of the United States at the time of detail, and shall receive from the United States reimbursement for travel expenses to and from the place of detail and monthly allowances determined by the President to be adequate for quarters and subsistence during the period of such detail. The additional compensation, travel expenses, and other allowances authorized by this act to be paid to any such officer or employee shall be paid from any appropriations available for the payment of compensation and travel expenses of the officers and employees of the department or agency from which he is detailed: *Provided, however,* That if any of the governments to which details are authorized by this act shall express the desire to reimburse this Government in whole or in part for the expenses of such details, the President is authorized, when he deems it in the public interest, to accept such reimbursement."

Mr. WOLCOTT. Mr. Speaker, I rise in opposition to the committee amendments.

Mr. Speaker, it seems to me these amendments completely rewrite the bill and, frankly, I do not understand them. I have studied the bill as it was reported out of the committee with the committee amendment which was recorded. I believe the gentleman should take some time to explain the effect of his amendments. May I ask the gentleman whether the amendments he is offering are committee amendments?

Mr. MAY. Yes. I may say to the gentleman the first amendment, which is the one beginning in line 3, strikes out all after the word "that" down to and including the word "war" and the comma in line 6.

Mr. WOLCOTT. Have we not already accepted one committee amendment, yet the gentleman's amendment strikes out that committee amendment.

Mr. MAY. Oh, no; this simply strikes out a provision which relates to the authority of the Secretary of War and the Secretary of State to make recommendations to the President on a matter that is wholly Executive and wholly within the discretion of the President.

Mr. WOLCOTT. The first committee amendment applied to the Philippine Islands, and there was inserted in the bill "or in the case of the Government of the Commonwealth of the Philippine Islands on the recommendation of the Secretary of War."

Mr. MAY. Yes.

Mr. WOLCOTT. I understand the pending amendment strikes out all that language, including the language in line 3 after the word "that."

Mr. MAY. The gentleman is correct, and the reason for it is that it is a matter wholly within the discretion of the President.

Mr. WOLCOTT. Has not the House just accepted a committee amendment, adding after the words "that on the

recommendation of the Secretary of State" the words "or in the case of the Government of the Commonwealth of the Philippine Islands on the recommendation of the Secretary of War"?

Mr. MAY. That was the first amendment.

Mr. WOLCOTT. Do I now understand the gentleman is recommending that committee amendment be stricken?

Mr. MAY. For the very reason it happens to be in the nature of an invasion of the prerogatives of the President, who has the power and authority to make the recommendation.

Mr. WOLCOTT. Mr. Speaker, I frankly do not understand this bill as it is amended by the committee. I believe we should have had these committee amendments before us before we acted on the bill. I am constrained to make a point of order against the gentleman's committee amendment inasmuch as it contains subject matter which has already been passed upon by the House.

The SPEAKER pro tempore (Mr. COOPER). The point of order comes too late.

Mr. WOLCOTT. Mr. Speaker, the point of order comes before the vote is taken on the amendment.

The SPEAKER pro tempore. Debate has already been had on the amendment.

Mr. MAY. Will the gentleman permit me to make an explanation of all the amendments? If he will, I believe he will understand them.

On page 2, in line 10, there are stricken out the words:

and to authorize such person to accept for the period of such detail an appointment, and the compensation and emoluments pertaining thereto, under the government to which detailed.

The reason for striking out that provision is that section 9 of article I of the Constitution prohibits the granting of a title of nobility or the acceptance of compensation or reward or gift or anything of that nature by an employee of the United States from a foreign government without the consent of Congress. If this provision were stricken out, the bill would then read so as to authorize the President under extraordinary circumstances to extend the period of time of service.

Then the amendment in line 20, striking out all after the word "detail" down to the end of the bill and substituting the provision in the last part of the amendment, makes it possible for the governments of the South American Republics or the Philippine Islands to compensate this Government and not the individual who serves that government. We are trying to take away from the bill the idea that the man is accepting emoluments or compensation from the foreign government.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield before my time expires? I want to say to the House that this is about the first time in the 4 years I have worked on this calendar that almost a completely new bill has been brought in here and submitted to the House without first submitting it to those of us who work until 2 or 3 o'clock Sunday nights trying to get this calendar in shape. I do not think it is fair to the House and I do not believe it is fair to the six of us who work on this calendar not to be forewarned. I surely would have objected to this bill had I known the committee was going to offer amendments in addition to the amendment which they had previously offered without at least some understanding by the objectors as to what the bill is about. Frankly, I do not now know what the bill is about, and I think the chairman of the committee should have taken 5 minutes in his own time, and not in my time, to explain the dozen or fifteen amendments which he has submitted here, and I am going to insist that we at least take some time in order to understand this bill before it passes the House.

[Here the gavel fell.]

Mr. THURSTON. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. THURSTON. Will the gentleman explain whether this amendment—

Mr. WOLCOTT. Has my time expired, Mr. Speaker?

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Speaker, has the gentleman from Kentucky the floor?

Mr. MAY. I yielded to the gentleman from Iowa.

Mr. WOLCOTT. Was not the gentleman from Kentucky recognized at a previous time on this matter?

Mr. MAY. I was trying to explain the amendments in answer to the gentleman's inquiry.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized now for 5 minutes.

Mr. WOLCOTT. Had not the gentleman been recognized previously on the amendment?

The SPEAKER pro tempore. The gentleman had not been recognized on the amendments.

Mr. THURSTON. Will the gentleman explain the purpose of these assignments. Are they for military or economic or political purposes? What is the necessity for granting this authority to the President to detail or assign civilian employees of the Government to these different nations?

Mr. MAY. I may say to the gentleman and to the House as a whole that the Secretary of State came to our committee and we had extensive hearings on the question. It appears that there is a strong effort being made by this Government to cultivate a feeling of cooperation and friendliness between this country and the South American republics, and for that matter, between all countries; but they say there are many instances in which it is beneficial to the American Government to have a representative from some department, either the Department of State or the Department of Agriculture, or the Department of the Interior, detailed in connection with the affairs with which they deal in the South American countries.

Mr. THURSTON. The gentleman is aware of the fact we have military attachés in all of these nations and commercial attachés?

Mr. MAY. These are all nonmilitary activities.

Mr. THURSTON. We have commercial attachés and agricultural representatives and they cover a large field of operation. Just what is the necessity for adding to this number?

Mr. MAY. This does not add any employees whatever. It merely permits the President to detail some of the employees of the departments concerned, whether it be Agriculture or Interior, or any other department, including the Department of War.

Mr. THURSTON. I understand that.

Mr. MAY. And the idea is to cultivate mutuality and friendship and good feeling with these governments, and at the same time benefit ourselves. They resent the idea of not participating in the compensation of the employee, and we cannot afford to say to them that they may pay our employees. Therefore, we leave it to the Secretary of State in making the agreements which he has been making to take care of the 50-percent commission that the man gets.

Mr. THURSTON. We are recognized as an international nurse to take care of all sorts of delinquencies and illnesses that may happen all over the world, and I was simply trying to learn the specific purpose in making such assignments. I understand what the bill proposes to do, but do we need this?

Mr. MAY. I have tried to state two or three times that the whole purpose is to cultivate friendship with the South American republics and cooperate with them in such a way as to benefit this country in its dealing with those governments, and also the Philippine Islands. There is no purpose whatever to have any of the civilian employees of this Government render services to those countries without such countries paying for such services. This is all arranged for and taken care of in these agreements.

Mr. THURSTON. If I may submit one closing interrogation, do these other nations reciprocate and assign or detail their employees here?

Mr. MAY. They certainly do and that is arranged in the agreements before they are finally concluded.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. MAY. Yes; I yield.

Mr. WOLCOTT. Would the gentleman consent that this bill be passed over without prejudice in order that we may have an opportunity to study the committee amendments?

Mr. MAY. I would be delighted to accommodate the gentleman from Michigan in any way I could, but the bill is important and it is urgent on account of some things that are pending in the Secretary of State's office with respect to some of the South American republics, and I would like to get it through, and for that reason I would not like to consent to have it go over.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 25, noes 20.

Mr. WOLCOTT. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 68, not voting 137, as follows:

[Roll No. 67]
YEAS—223

Aleshire	Driver	Lanzetta	Polk
Allen, La.	Duncan	Lea	Rabaut
Allen, Pa.	Dunn	Leavy	Ramspeck
Anderson, Mo.	Eberharter	Lesinski	Randolph
Andrews	Eckert	Lewis, Colo.	Rankin
Arends	Edmiston	Long	Rayburn
Arnold	Elcher	Luce	Richards
Ashbrook	Elliott	Luckey, Nebr.	Rigney
Atkinson	Englebright	Ludlow	Robertson
Bacon	Ferguson	Luecke, Mich.	Romjue
Beam	Fernandez	McAndrews	Rutherford
Belter	Fitzgerald	McClellan	Ryan
Bell	Flaherty	McCormack	Sabath
Bernard	Flannagan	McFarlane	Sadowski
Biermann	Fieger	McGehee	Sanders
Bigelow	Fletcher	McGrath	Schaefer, Ill.
Bland	Forand	McGroarty	Schuetz
Bloom	Ford, Miss.	McLaughlin	Shanley
Boland, Pa.	Fries, Ill.	McMillan	Sheppard
Boren	Fulmer	McReynolds	Smith, Conn.
Brewster	Gambrill, Md.	McSweeney	Smith, Va.
Brooks	Garrett	Magnuson	Smith, Wash.
Brown	Gavagan	Mahon, S. C.	Smith, W. Va.
Buck	Gray, Ind.	Mahon, Tex.	Snyder, Pa.
Bulwinkle	Greever	Martin, Colo.	South
Cannon, Mo.	Gregory	Mason	Spence
Cartwright	Griffith	Maverick	Stack
Champion	Haines	May	Sutphin
Chandler	Hamilton	Mead	Sweeney
Chapman	Harrington	Meeks	Swope
Clark, Idaho	Harter	Merritt	Taylor, Colo.
Clason	Havener	Mills	Terry
Claypool	Hildebrandt	Mitchell, Tenn.	Thom
Cochran	Hill	Moser, Pa.	Thomas, N. J.
Coffee, Nebr.	Honeyman	Mouton	Thomas, Tex.
Coffee, Wash.	Hook	Murdock, Ariz.	Thomason, Tex.
Cole, N. Y.	Houston	Murdock, Utah	Thompson, Ill.
Connery	Imhoff	Nelson	Towey
Cooley	Izac	O'Brien, Ill.	Transue
Cooper	Jacobsen	O'Brien, Mich.	Turner
Costello	Johnson, Luther A.	O'Malley	Umstead
Cox	Johnson, Okla.	O'Neal, Ky.	Vincent, B. M.
Crawens	Johnson, W. Va.	O'Neill, N. J.	Vinson, Fred M.
Crawford	Jones	Owen	Voorhis
Creal	Kee	Pace	Wallgren
Culkin	Keller	Palmsano	Walter
Cullen	Kelly, N. Y.	Parsons	Warren
Cummings	Kennedy, Md.	Fatman	Weich
Daly	Keogh	Patterson	West
DeRouen	Kirwan	Patton	White, Ohio
Dies	Kitchens	Pearson	Whittington
Dingell	Kleberg	Peterson, Fla.	Williams
Dixon	Kocalkowski	Peterson, Ga.	Wolverton
Doughton	Kramer	Phillips	Woodrum
Doxey	Lambeth	Pierce	Zimmerman
Drew, Pa.	Lanham	Poage	

NAYS—68

Allen, Ill.	Eaton	Hope	Lambertson
Bates	Engel	Hull	Lamneck
Bolleau	Gamble, N. Y.	Hunter	Lemke
Buckler, Minn.	Gehrmann	Jenkins, Ohio	Lord
Case, S. Dak.	Gifford	Jenks, N. H.	Maas
Church	Gilchrist	Johnson, Minn.	Mapes
Cluett	Guyer	Kinzer	Martin, Mass.
Dirksen	Hancock, N. Y.	Knifm	Michener
Dondero	Hoffman	Knutson	Mosier, Ohio
Dowell	Holmes	Kvale	Powers

Reece, Tenn.	Rogers, Mass.	Simpson	Tinkham
Reed, Ill.	Sauthoff	Smith, Maine	Tolan
Reed, N. Y.	Schneider, Wis.	Stefan	Treadway
Rees, Kans.	Scott	Taber	Wigglesworth
Rich	Secrest	Taylor, Tenn.	Withrow
Robison, Ky.	Seger	Teigan	Wolcott
Rockefeller	Short	Thurston	Woodruff

NOT VOTING—137

Allen, Del.	DeMuth	Hobbs	Ramsay
Amie	Dickstein	Jarman	Reilly
Andresen, Minn.	Disney	Jarrett	Robinson, Utah
Barden	Ditter	Jenckes, Ind.	Rogers, Okla.
Barry	Dockweiler	Johnson, Lyndon	Sacks
Barton	Dorsey	Kelly, Ill.	Satterfield
Binderup	Douglas	Kennedy, N. Y.	Schulte
Boehne	Drewry, Va.	Kerr	Scrugham
Boyer	Evans	Kopplemann	Shafer, Mich.
Boykin	Faddis	Larrabee	Shannon
Boylan, N. Y.	Farley	Lewis, Md.	Sirovich
Bradley	Fish	Lucas	Smith, Okla.
Buckley, N. Y.	Fitzpatrick	McGranery	Snell
Burch	Flannery	McKeough	Somers, N. Y.
Burdick	Ford, Calif.	McLean	Sparkman
Byrne	Frey, Pa.	Maloney	Starnes
Caldwell	Fuller	Mansfield	Steagall
Cannon, Wis.	Gasque	Massingale	Sullivan
Carlson	Gearhart	Mitchell, Ill.	Summers, Tex.
Carter	Gildea	Mott	Tarver
Casey, Mass.	Gingery	Nichols	Taylor, S. C.
Celler	Goldsborough	Norton	Tobey
Citron	Gray, Pa.	O'Connell, Mont.	Vinson, Ga.
Clark, N. C.	Green	O'Connell, R. I.	Wadsworth
Cole, Md.	Greenwood	O'Connor, Mont.	Wearin
Collins	Griswold	O'Connor, N. Y.	Weaver
Colmer	Gwynne	O'Day	Wene
Crosby	Halleck	O'Leary	Whelchel
Crosser	Hancock, N. C.	Oliver	White, Idaho
Crowe	Harlan	O'Toole	Wilcox
Crowther	Hart	Patrick	Wolfenden
Curley	Hartley	Pettengill	Wood
Deen	Healey	Pfeifer	
Delaney	Hendricks	Plumley	
Dempsey	Hennings	Quinn	

So the amendment was agreed to.

The Clerk announced the following pairs:
General pairs:

Mr. O'Connor of New York with Mr. Snell.
Mr. Scrugham with Mr. Plumley.
Mr. Boehne with Mr. Wadsworth.
Mr. Boylan of New York with Mr. Ditter.
Mr. Collins with Mr. Hartley.
Mr. Fuller with Mr. Tobey.
Mr. Drewry of Virginia with Mr. Wolfenden.
Mr. Vinson of Georgia with Mr. McLean.
Mr. Mansfield with Mr. Fish.
Mr. Greenwood with Mr. Carlson.
Mr. Tarver with Mr. Halleck.
Mr. Sullivan with Mr. Crowther.
Mr. Weaver with Mr. Oliver.
Mr. Burch with Mr. Barton.
Mr. Maloney with Mr. Douglas.
Mr. Kennedy of New York with Mr. Andresen of Minnesota.
Mr. Clark of North Carolina with Mr. Mott.
Mr. Kerr with Mr. Shafer of Michigan.
Mr. Crosser with Mr. Gwynne.
Mr. Starnes with Mr. Jarrett.
Mr. Griswold with Mr. Carter.
Mr. Summers of Texas with Mr. Gearhart.
Mr. Satterfield with Mr. Burdick.
Mr. Hobbs with Mr. Amie.
Mr. Schulte with Mr. Caldwell.
Mr. Dempsey with Mr. Evans.
Mrs. Norton with Mr. Farley.
Mr. Pettengill with Mr. Barry.
Mr. Goldsborough with Mr. Healey.
Mr. Bradley with Mrs. Jenckes of Indiana.
Mr. Reilly with Mr. Smith of Oklahoma.
Mr. Celler with Mr. Deen.
Mr. Curley with Mr. McGranery.
Mr. Wearin with Mr. Byrne.
Mr. Massingale with Mr. O'Connell of Rhode Island.
Mr. Disney with Mr. Ford of California.
Mr. Whelchel with Mr. Allen of Delaware.
Mr. Steagall with Mr. Quinn.
Mr. Patrick with Mr. Wood.
Mr. Jarman with Mr. Wene.
Mr. Gasque with Mr. Barden.
Mr. Pfeifer with Mr. Gildea.
Mr. Binderup with Mr. Gingery.
Mr. Gray of Pennsylvania with Mr. Ramsay.
Mr. Hendricks with Mr. Crowe.
Mr. Dorsey with Mr. Lucas.
Mr. O'Leary with Mr. Boyer.
Mr. Faddis with Mr. Somers of New York.
Mr. Green with Mr. Shannon.
Mr. Taylor of South Carolina with Mr. Casey of Massachusetts.
Mr. Harlan with Mr. Boykin.
Mr. Buckley of New York with Mr. Mitchell of Illinois.
Mr. Nichols with Mr. Citron.
Mr. Sirovich with Mr. Hancock of North Carolina.
Mr. Rogers of Oklahoma with Mr. Hart.
Mr. Larrabee with Mr. Sparkman.

Mr. Kelly of Illinois with Mr. Dickstein.
Mr. Flannery with Mr. White of Idaho.
Mr. Sachs with Mr. Cole of Maryland.
Mr. Kopplemann with Mr. DeMuth.
Mr. Robinson of Utah with Mr. Hennings.
Mr. Lyndon B. Johnson with Mr. Cannon of Wisconsin.
Mr. McKeough with Mr. O'Toole.
Mr. Colmer with Mr. O'Connor of Montana.
Mr. Frey of Pennsylvania with Mrs. O'Day.
Mr. Lewis of Maryland with Mr. Wilcox.
Mr. O'Connell of Montana with Mr. Fitzpatrick.
Mr. Crosby with Mr. Delaney.

Mr. RUTHERFORD changed his vote from "no" to "aye."

Mr. CANNON of Missouri changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

Mr. WOLCOTT. Mr. Speaker, I move to strike out the last word. We have followed a very unusual procedure in the consideration of this bill. This bill was put on the Consent Calendar because it was presumed to be of minor importance. The Consent Calendar, as the name implies, is a calendar of bills which are passed by unanimous consent when there are no objections to the consideration of the bill. On the Republican side of the House as well as on the Democratic side, there are named by the respective leaderships three members on each side to supervise the Consent Calendar, and it is our duty as well as our purpose to read the bill and to read the reports, and in many instances, in order to have a clear understanding of the bill, to read even the hearings. When there are from 50 to 150 bills on the calendar, it goes without saying that the six official objectors named by the House to do the job have to burn the midnight oil late into Sunday night to have the calendar ready for consideration on Monday morning, and if it were not for the six objectors all of the Members of the House would have to do that job. I am quite sure that the three objectors on the Democratic side of the House are just as conscientious about these bills as the Members on this side of the aisle. We study the bills not with the idea of objecting because some particular Member happens to have introduced the bill. I do not know of a case where a bill has been objected to merely because some particular Member of Congress has introduced or sponsored it. Much to the credit of the official objectors, bills are objected to only because of their demerits.

Frequently, because of the experience which the objectors have had in analyzing the bills, we find things which the legislative committee did not see, and the committees are always very grateful to us for calling attention to them. It is a calendar upon which bills of minor importance are placed, and they are passed by unanimous consent if not objected to. For that reason it is not keeping faith with this House and it is not keeping faith with the members of these committees named by the Democratic leadership and the Republican leadership for a legislative committee to report a bill with a simple little committee amendment and then, after obtaining consent of the House for the consideration of the bill, moving to even amend the title of the bill and completely change its purpose. I do not doubt in the least that it was a pure oversight on the part of the Committee on Military Affairs which permitted them to handle this bill in this way; but I say to the House that it is most unusual for a committee chairman not to show the official objectors of the House the simple courtesy of a conference on committee amendments which he knows are going to be offered in addition to those committee amendments which appear in the bill, which we know of because they appear in italics in the bill as reported to the House.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I cannot yield right now. The gentleman can get 5 minutes in opposition. In view of the committee amendment offered, which gentlemen here did not know about because they did not know what was in it, and because of the unusual procedure followed here, I think this bill should go back to the Military Affairs Committee, and I hope gentlemen will appreciate, when I make my motion to recommit the bill to the Committee on Military Affairs, that it is for the purpose only of maintaining the integrity of this House. I dare say that of the 50 or 55 Members present

on the floor of the House when the amendments were offered, there were not 4 Members outside of the committee members who had a scintilla of knowledge of what was in them.

The SPEAKER pro tempore (Mr. WARREN). The time of the gentleman from Michigan has expired.

Mr. MAY. Mr. Speaker, I rise in opposition to the pro forma amendment. I regret very much that my friend from Michigan [Mr. WOLCOTT] has apparently lost his better judgment so that he would become aggrieved over something that does not amount to very much, and I assure him now that neither the Committee on Military Affairs nor any member of the committee had any idea or purpose or intention to disregard these gentlemen who work so hard here in order to see that improper legislation does not pass the House.

I have often said, and I repeat it now, that there is not any group of men in this House that are more entitled to the thanks of all the Members than those selected as objectors, Republicans and Democrats alike [Applause.] I may say to the gentleman from Michigan that I have admired him many times for his diligence and his impartiality and fairness in these matters. I think he will agree with me, however, that when the House Committee on Military Affairs reported out this bill and was afterward informed by the Secretary of State that he had overlooked a vital and important constitutional requirement, that the committee was not in bad faith in coming out here with an amendment that would take care of the constitutional question involved. In other words, as shown in the report—and this report was in the hands of these gentlemen who were designated to object—as shown in the report, article I, section 9, of the Constitution provides:

That no title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state.

When we discovered that we had not complied with this provision of the Constitution, we brought in an amendment at the request of the legal officers of the State Department that would authorize the South American republics to pay part of the expenses of our agents who are down there in connection with trade agreements. The only thing the amendment does is to authorize those governments to pay our Government instead of our officers, and then we pay our own officers. This complies with the constitutional requirement, and is the only reason I offered the amendment. I thought the gentleman from Michigan knew about it. Had I known he did not, I would have been glad to have advised him.

[Here the gavel fell.]

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. WOLCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. WARREN). Is the gentleman opposed to the bill?

Mr. WOLCOTT. I am.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. WOLCOTT moves that the bill H. R. 10193 be recommitted to the Committee on Military Affairs.

The question was taken; and on a division (demanded by Mr. WARREN) there were—ayes 30, noes 119.

So the motion to recommit was rejected.

The bill was passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill authorizing the temporary detail of United States employees possessing special qualifications to the governments of American republics and the Philippines, and for other purposes."

RETIREMENT OF CERTAIN OFFICERS OF THE NAVY AND MARINE CORPS

The Clerk called the next bill, H. R. 9801, to provide for the retirement, rank, and pay of Chiefs of Naval Operations, chiefs of bureau of the Navy Department, the Judge Advoca-

tes General of the Navy, and the Major Generals Commandant of the Marine Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any officer of the Navy or Marine Corps who may be retired while serving as Chief of Naval Operations, as chief of a bureau of the Navy Department, as Judge Advocate General of the Navy, or as Major General Commandant of the Marine Corps, or who has served or shall have served 2½ years or more as Chief of Naval Operations, as chief of a bureau of the Navy Department, as Judge Advocate General of the Navy, or as Major General Commandant of the Marine Corps, and is retired after completion of such service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the rank, pay, and allowances authorized by law for the highest grade or rank held by him as such Chief of Naval Operations, chief of bureau, Judge Advocate General, or Major General Commandant: *Provided*, That the President in his discretion may extend the privileges herein authorized to such officers as have heretofore been retired and who satisfy the foregoing conditions: *Provided further*, That no increase provided herein in retired pay shall be held to have accrued prior to the passage of this act.

Mr. MAAS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Page 2, line 2, insert after the word "Corps", the following: "or as head of a staff department of the Marine Corps." On line 8, page 2, after the word "Commandant", insert "or as head of a staff department of the Marine Corps."

Mr. MAAS. Mr. Speaker, this is an amendment to clarify a situation which was misunderstood. It simply includes the staff heads of the Marine Corps without any additional cost to the Government. There was a misunderstanding in the committee. This amendment has the approval of the Navy Department.

Mr. PHILLIPS. I do not object to that, Mr. Speaker.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES EMPLOYEES' COMPENSATION ACT

The Clerk called the next bill, H. R. 4650, to amend section 40 of the United States Employees' Compensation Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the fifth paragraph of section 40 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, sec. 790), is further amended to read as follows:

"The term 'physician' includes surgeons and osteopathic practitioners.

"The term 'medical, surgical, and hospital services and supplies' includes services and supplies by osteopathic practitioners and hospitals."

With the following committee amendments:

Page 1, line 10, after the word "practitioners", insert "within the scope of their practice as defined by State law."

Page 1, line 13, after the word "hospitals", insert "within the scope of their practice as defined by State law."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF JUDGES IN THE TERRITORY OF HAWAII

The Clerk called the next bill, H. R. 8700, relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii, judges of the circuit courts of the Territory of Hawaii, and judges of the United States District Court for the Territory of Hawaii.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, this bill as drafted, if literally interpreted, authorizes payment to the justices or judges of the full amount of any salary which they may receive at the time they retired. Inferentially, it also authorizes retirement. It does not specifically provide for retirement.

I call particular attention to page 1, line 6, where it is stated that every judge of the United States District Court for the Territory of Hawaii who shall retire, and so forth. In order to remove any question as to whether they may retire or not, I believe that the words "who shall" should be stricken and the word "may" inserted.

After a judge has served 10 years and becomes 70 years of age, if the amendment I will suggest is agreed to, he may retire, and then what happens? Under the bill as it is now drafted he shall receive monthly—and understand this clearly—during the remainder of his life a sum equal to such proportion of salary received by such justice or judge at the date of such retirement as the total aggregate years of service bears to the period of 16. If a justice or judge served 10 years at a salary of \$6,000 a year, he would be entitled to receive ten-sixteenths of \$6,000 a year for every month of service.

I am sure that the committee intended this to mean annual salary and not monthly salary. Then, to clarify this particular provision of the bill, I shall offer an amendment at line 1, page 2, so that if the amendment is accepted the bill will read that the justice shall receive the amount of pension provided by the bill annually in equal monthly installments.

If I may have the assurance of the committee that those amendments are agreeable—and I may say they are merely clarifying amendments—I have no objection to the bill.

There is one other amendment at page 1, line 7. If the bill is changed as I suggest, then it will be necessary to put a period after "70 years" and start a new sentence, striking out the word "and" and inserting "If such justice or judge retires."

Mr. KING. If the gentleman will yield, I may say that those amendments are agreeable.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That every justice of the Supreme Court of the Territory of Hawaii, every judge of the circuit courts of the Territory of Hawaii, and every judge of the United States District Court for the Territory of Hawaii who shall retire after attaining the age of 70 years, and after having served as a justice or judge of any of the aforementioned courts for a period or periods aggregating 8 years or more, whether continuously or not, shall receive monthly, during the remainder of his life, a sum equal to such proportion of the salary received by such justice or judge at the date of such retirement as the total of his aggregate years of service bears to the period of 16 years, the same to be paid by the United States in the same manner as the salaries of the aforesaid justices and judges: *Provided, however,* That in no event shall the sum received by any such justice or judge hereunder be in excess of the salary of such justice or judge at the date of such retirement.

SEC. 2. In computing the years of service under this act service in any one or more of the aforesaid courts shall be included whether such service be continuous or not and whether rendered before or after the enactment hereof. The terms "retire" and "retirement" as used in this act shall mean and include retirement, resignation, failure of reappointment upon the expiration of the term of office of an incumbent or removal by the President of the United States upon the sole ground of mental or physical disability.

With the following committee amendment:

Page 1, line 9, strike out "eight" and insert "ten."

The committee amendment was agreed to.

Mr. WOLCOTT. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 2, line 1, after the word "monthly", insert "annually in equal monthly installments." Page 1, line 6, after the word "Hawaii", strike out "who shall" and insert "may."

Page 1, line 7, after the word "years", strike out the comma, insert a period, strike out the word "and", and insert "if such justice or judge retires."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF WAR TO PERMIT ALLOTMENTS FROM THE PAY OF MILITARY PERSONNEL

The Clerk called the next bill, H. R. 9760, to amend the act of March 2, 1899, as amended, to authorize the Secretary of War to permit allotments from the pay of military personnel and permanent civilian employees under certain conditions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 16, act of Congress approved March 2, 1899, as amended (10 U. S. C. 894), be, and the same is hereby, further amended to read as follows: "The Secretary of War is authorized to permit officers, members of the Army Nurse Corps, contract surgeons, and enlisted men of the Army, active or retired, and also permanent civilian employees on duty in Alaska or outside of the continental limits of the United States, to make allotments from their pay, under such regulations as he may prescribe, for the support of their families or relatives or for the other proper purposes which in his discretion warrant such action."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUSTOMS OFFICERS AND EMPLOYEES

The Clerk called the next bill, S. 2986, to amend section 6 of the act approved May 27, 1936 (49 U. S. Stat. L. 1380).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 27, 1936, entitled "An act to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes," be amended by adding after the word "assistants," on line 4 of section 6, the words "Customs officers and employees."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 6 of the act of May 27, 1936 (49 Stat. L. 1380), entitled 'An act to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes,' is amended to read as follows:

"SEC. 6. The Secretary of Commerce shall fix a reasonable rate of extra compensation for overtime services of local inspectors of steam vessels and their assistants, United States shipping commissioners and their deputies and assistants, and customs officers and employees, who may be required to remain on duty between the hours of 5 o'clock p. m. and 8 o'clock a. m. or on Sundays or holidays to perform services in connection with the inspection of vessels or their equipment, supplying or signing on or discharging crews of vessels on the basis of one-half day's additional pay for each 2 hours or fraction thereof of at least 1 hour that the overtime extends beyond 5 o'clock p. m. (but not to exceed 2½ days' pay for the full period from 5 o'clock p. m. to 8 o'clock a. m.) and 2 additional days' pay for Sunday or holiday duty. The said extra compensation for overtime services shall be paid by the master, owner, or agent of such vessel to the local United States collector of customs or his representative who shall deposit such collection into the Treasury of the United States to an appropriately designated receipt account. The amount of the receipts so covered during the fiscal year 1936 is hereby authorized to be appropriated and made available for payment of extra compensation for overtime services to the several employees entitled thereto according to rates fixed therefor by the Secretary of Commerce: *Provided,* That effective July 1, 1936, and thereafter, the amounts of such collections received by the said collector of customs or his representative shall be covered into the Treasury as miscellaneous receipts; and the payments of such extra compensation to the several employees entitled thereto shall be made from the annual appropriations for salaries and expenses of the Bureau: *Provided further,* That to the extent that the annual appropriations, which are hereby authorized to be made from the general fund of the Treasury, are insufficient, there are hereby authorized to be appropriated from the general fund of the Treasury such additional amounts as may be necessary, to the extent that the amounts of such receipts are in excess of the amounts appropriated: *Provided further,* That such extra compensation shall be paid if such officers or employees have been ordered to report for duty and have so reported, whether the actual inspection of the vessel or her equipment, or the supplying, or signing on, or discharging crews takes place or not: *And provided further,* That in those ports where customary working hours are other than those hereinabove mentioned, the local inspectors of steam vessels, United States shipping commissioners, or collectors of customs, as the case may be, are vested with authority to regulate the hours of such employees so as to agree with prevailing working hours in said ports, but nothing contained in this proviso

shall be construed in any manner to alter the length of a working day for the local inspectors, their assistants, the United States shipping commissioners and their deputies and assistants, or customs officers and employees, or the overtime pay herein fixed."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF CERTAIN SEAMEN'S CERTIFICATES

The Clerk called the next bill, S. 3351, to amend the act of March 4, 1915, as amended, the act of June 23, 1936, section 4551 of the Revised Statutes of the United States, as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 13 of the act of March 4, 1915, as amended (U. S. C., title 46, sec. 672); the act of June 23, 1936 (U. S. C., title 46, sec. 391 (a)); and section 4551 of the Revised Statutes of the United States, as amended (U. S. C., title 46, sec. 643), are hereby amended to permit any inspector of hulls or any inspector of boilers, or any assistant inspector designated for that purpose by a board of local inspectors, to issue certificates of service, certificates of efficiency, tankermen's certificates, continuous discharge books, and certificates of identification.

Sec. 2. This act shall become effective on the date of its approval.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of section 13 of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 672), the act of June 23, 1936 (U. S. C., 1934 ed., Supp. III, title 46, sec. 391 (a)), and section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 643), any inspector of hulls, any inspector of boilers, and any assistant inspector designated for that purpose by a board of local inspectors may issue certificates of service, certificates of efficiency, tankermen's certificates, continuous discharge books, and certificates of identification."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act to permit the issuance of certain certificates under the shipping laws by inspectors of hulls, inspectors of boilers, and designated assistant inspectors."

LIGHTHOUSE MATERIAL FOR USE OF SEA SCOUTS

The Clerk called the next bill, H. R. 9557, to authorize the Secretary of Commerce to dispose of material of the Bureau of Lighthouses to the Sea Scout Department of the Boy Scouts of America.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized, in his discretion, to dispose of without charge, except for transportation and delivery to the Sea Scout Department of the Boy Scouts of America, such condemned or obsolete material as may not be needed for the Bureau of Lighthouses, and such other material as may be spared, at prices representing its fair value to the Department of Commerce.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIGHTHOUSE KEEPER'S RESIDENCE, MANITOWOC, WIS.

The Clerk called the next bill, H. R. 9707, to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wis., to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, Manitowoc, Wis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to convey, by quitclaim deed, to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, of Manitowoc, Wis., the old lighthouse keeper's residence in Manitowoc, Wis., together with the land appurtenant thereto, which is now leased to the said post of the Veterans of Foreign Wars of the United States, under a lease expiring on December 31, 1940, such land being no longer required for use by the Lighthouse Service.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That, upon terms satisfactory to the Director of Procurement and at a price not less than 50 percent of its value as of the date

when possession of the hereinafter-described property was taken under lease by the hereinafter-designated post, as said value shall be estimated and determined by the Director of Procurement, the Secretary of Commerce is authorized and directed to convey, by quitclaim deed to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, of Manitowoc, Wis., the old lighthouse keeper's residence in Manitowoc, Wis., together with the land appurtenant thereto, being lots 1 and 2 in block 178 southwesterly corner of Fifth and York Streets, which is now leased to the said post of the Veterans of Foreign Wars of the United States, under a lease expiring on December 31, 1940, such land being no longer required for use by the Lighthouse Service. Should the Otto Oas Post, No. 659, Veterans of Foreign Wars, cease to occupy the property for club headquarters or alienate or attempt to alienate such property, title thereto shall revert to the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERRITORY OF ALASKA

The Clerk called the next bill, H. R. 5894, to authorize the Territory of Alaska to incur indebtedness, and for other purposes.

Mr. RICH. Mr. Speaker, I should like the Delegate from Alaska to explain to the House how far the Territory of Alaska proposes to obligate itself; and, further, if the Territory does obligate itself, whether eventually it may expect the Federal Government to pay the obligation.

Mr. DIMOND. Mr. Speaker, at the present time the Territory of Alaska is not authorized to incur any bonded or other indebtedness whatever. As a result of that provision of the Organic Act of Alaska the Territory has no debt at the present time. This bill seeks to authorize the Territory to incur indebtedness of not to exceed \$2,000,000 in amount for the purpose of undertaking certain types of public works, particularly roads and airfields, for which there is a pressing need in all parts of the Territory.

The reason I urge the bill upon the consideration of the House at this time is that it appears there is to be a general Federal works program, and unless this bill or some similar measure is passed, the Territory of Alaska may be almost entirely prevented from sharing in that program. I believe this measure may afford an opportunity to secure aid in building particularly the roads and airfields, for which there is such pressing need in the Territory of Alaska.

To answer the gentleman's second question with regard to whether the Federal Government will ever be asked to pay this indebtedness, the only answer anybody can give is "no." The Federal Government incurs no obligation whatever by reason of the passage of this measure.

Mr. RICH. If you bond the Territory of Alaska for \$2,000,000 for the purpose of getting grants from the P. W. A., how do you intend to raise the money to pay it?

Mr. DIMOND. By taxation. As the gentleman will see from the report, the total Territorial income last year was approximately \$2,300,000. As a matter of fact, the Territory could go into debt \$10,000,000 without being nearly as deeply in debt in proportion to its wealth, production, and income, and the general income of the people as are most of the States.

Mr. RICH. What I am interested in is having the gentleman, as its representative, obligate the Territory of Alaska for this \$2,000,000 so we will know that within the next 3 or 4 years it will not be coming back here and asking us for \$2,000,000 to pay the debt.

Mr. DIMOND. Mr. Speaker, under the provisions of the bill itself the Territory of Alaska is obligated in the clearest possible terms to pay all indebtedness which may be incurred thereunder—the limit being \$2,000,000—both of principal and interest. I am unable to conceive of any circumstances under which the Territory will ever ask the Federal Government to pay any such indebtedness. There is no more reason to assume any such event than there is to assume that the Federal Government will be asked to pay the indebtedness incurred by the State of New York, or that of any other State.

It is with great reluctance that I ask for the passage of this measure. Like most men of my upbringing, I abhor debt. But sometimes it is the part of wisdom, it is good

business, to go moderately into debt. Many an American fortune has been built up by the prudent use of borrowing power. Much depends upon two factors: first, the use to which the borrowed money is to be put; and, second, the reasonableness of the amount of the debt incurred. This proposed indebtedness in the case of Alaska in the bill now under consideration is entirely warranted under both of the factors I have mentioned. The money borrowed is to be used for not only desirable, but necessary public works, and in particular for roads and airfields. The development of Alaska is being now held up by reason of lack of these aids to transportation, both on the ground and in the air. In a region twice the size of Texas we have only about 2,000 miles of motor roads, and we need at least twice the mileage right now, without delay. We need immediately a large development of the facilities for air transportation, which primarily means airfields. Our airfields are relatively primitive, and are insufficient for the modern large, high-speed ships. The building of the fields necessary to serve the air commerce of Alaska is a job too big for the Territory. We must have Federal aid. In fact, it appears that in the United States—the 48 States—the job is rapidly becoming too big for the States and the cities, and that the United States Government will be obliged to give assistance.

The amount that we now seek to borrow is modest indeed. It is less than the income of the Territory for 1937. While the taxable property of the Territory, except that in incorporated cities, has never been appraised for tax purposes, I am confident that the \$2,000,000, which we seek to have authority to borrow, is only an insignificant portion of the total value of the taxable property situated in the Territory.

If the Federal public-works program suggested by the President's recent message is adopted, Alaska ought to have a fair share of the funds so appropriated, and if it is necessary for Alaska to go moderately into debt in order to share in that public-works program, then I think that the Territory should incur the required indebtedness. We have every assurance that the money so spent will be spent wisely, and that the public works constructed will be of use and value to the Territory and the citizens of the Territory, and those of the United States in all the years to come. The money so spent will be returned to our domestic and national economy many times multiplied.

In Alaska, in harmony with traditional American principles, we believe in self-government, in home rule, to the greatest possible extent. We only wish that we were in a position to ask for statehood. But lacking that, we desire to have what we have often called a full territorial form of government. And that full territorial form of government necessarily includes the right to incur indebtedness in a reasonable sum, for public purposes, if we see fit to do so. I do not know that any such indebtedness will be incurred if we are granted the authority. I hope it will not be found necessary. But I suggest that Congress should give us the authority, and thus give us an additional function of home rule. That would be entirely in harmony with the action of Congress in recent years in granting further powers of local self-rule to Alaska with respect to the control of intoxicating liquor, with respect to placer-mining claims, and with respect to the conduct of elections in the Territory.

May I take this occasion to urge, Mr. Speaker, that Congress and the administration ought to lend every aid in the development of Alaska, particularly in the building of roads, the construction of airfields, and the setting up of air navigation facilities, and in the building of the United States-British Columbia-Yukon Territory-Alaska highway, to connect the United States with the Territory of Alaska. Public funds can be expended nowhere more advantageously than in Alaska, and that advantage is one to be enjoyed by the residents of the States in even greater measure than the residents of Alaska.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Territory of Alaska is hereby authorized to construct, improve, extend, better, repair, reconstruct, and acquire public works of a permanent character, and facilities for the same, and to incur bonded indebtedness and to issue negotiable bonds for any or all of such purposes in a total amount not in excess of \$2,000,000 to be outstanding at any one time, exclusive of accrued interest. Such public works and facilities shall include: Buildings, structures, and facilities for the University of Alaska; public-school buildings and other public-school facilities; public hospitals and other appurtenant structures and facilities; airfields and air navigation aids and facilities; and highways, roads, trails, and bridges.

Sec. 2. No bonded indebtedness shall be incurred by the Territory of Alaska unless the amount thereof be first authorized or approved by a majority of a Territorial board of finance, hereby established and created, and to consist ex officio of the following officials of the Territory: The Governor, the treasurer, the auditor, the secretary, the commissioner of education, the attorney general, the highway engineer, and the president of the University of Alaska. Said board, or a majority thereof, is hereby authorized and empowered, with the proceeds of the sale of the bonds herein authorized, to undertake and construct such public works of the types herein indicated as they may select.

Sec. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed 30 years from the date thereof, may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times not exceeding 30 years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest or principal only as shall be prescribed by said board. The bonds shall bear the signatures of the Governor of Alaska and of the auditor of Alaska and shall have impressed thereon the official seal of the auditor of Alaska. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of the bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by said board not to exceed, however, 5 percent per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Sec. 4. The bonds herein authorized to be issued shall be general obligations of the Territory of Alaska payable as to both principal and interest from tax receipts of the Territory of every character, exclusive, however, of refunds to the Territory of Federal taxes collected in the Territory, and it shall be the duty of the Territorial legislature to levy and collect taxes in amount sufficient to pay the interest and the principal of such bonds as and when the same shall become due and payable.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this act. Said bonds shall be sold only when and in such amounts as the board shall direct and the proceeds thereof shall be disbursed only for the purposes hereinbefore mentioned and under the orders and direction of the Territorial board of finance from time to time as such proceeds may be required for such purposes.

Sec. 6. The Territory of Alaska, through the Governor of Alaska, is hereby authorized to enter into a contract or contracts with the United States of America, or any Department, board, agency, or instrumentality thereof, under existing laws, or under any law or laws of the United States which may be hereafter enacted, for the sale of bonds issued in accordance with the provisions of this act and to accept a grant or grants of money to aid the Territory in financing any of the aforesaid public works, or to enter into contracts with any other person or persons, corporation or corporations, public or private, for the sale of said bonds. All such contracts may contain such terms and conditions, subject to the provisions hereof, as may be agreed upon by and between the said Territorial board of finance and the United States of America, or any agency or instrumentality thereof, or any other purchaser of the bonds.

With the following committee amendment:

On page 2, line 22, after the word "payable", strike out "in such medium of payment and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks I have made with respect to this bill.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

OCHOCO NATIONAL FOREST, OREG.

The Clerk called the next bill, H. R. 9523, to add certain lands to the Ochoco National Forest, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to existing valid claims, the following-described lands be, and the same hereby are, added to the Ochoco National Forest, Oreg., and made subject to all laws appertaining to the national forests, to wit:

WILLAMETTE BASE AND MERIDIAN

Township 12 south, range 17 east, northwest quarter section 4, section 6, west half section 19, south half section 21, and sections 28 to 33, inclusive;

Township 12 south, range 16 east, sections 1 to 4, inclusive, sections 9 to 16, inclusive, sections 21 to 28, inclusive, and sections 33 to 36, inclusive;

Township 13 south, range 15 east, sections 1 and 2, and 11 to 14, inclusive;

Township 13 south, range 16 east, sections 1 to 18, inclusive, 23 to 26, inclusive, and sections 35 and 36;

Township 14 south, range 17 east, sections 1 to 12, inclusive;

Township 14 south, range 18 east, sections 1 to 16, inclusive, sections 21 to 28, inclusive, and sections 33 to 36, inclusive;

Township 14 south, range 19 east, sections 4 to 9, inclusive, sections 19 to 26, inclusive, and sections 33 to 36, inclusive;

Township 15 south, range 18 east, sections 1 to 4, inclusive, sections 9 to 16, inclusive, and sections 19 to 36, inclusive;

All of township 15 south, range 19 east;

Township 15 south, range 20 east, section 31;

Township 15 south, range 22 east, section 16;

Township 15 south, range 23 east, section 16;

Township 15 south, range 24 east, section 19;

Township 16 south, range 18 east, sections 1 to 4, inclusive;

Township 16 south, range 19 east, sections 5 and 6;

Township 16 south, range 20 east, south half section 3, south half section 4, and sections 9 to 12, inclusive.

With the following committee amendments:

On page 2, line 14, strike out "9 to 16" and insert "16 to 23."

On page 2, line 15, strike out "19 to 36" and insert "26 to 36."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTROL OF INSECT PESTS OR PLANT DISEASES

The Clerk called the joint resolution (S. J. Res. 256) to amend the joint resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs," approved April 6, 1937.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to have the author of this bill explain what is meant by Mormon crickets. I have heard of all kinds of bugs around this country, but I have never heard of a Mormon bug. Furthermore, may I make the observation that the grasshoppers are a good bit like this administration, they have lots of action but poor direction. I want to know something about these Mormon crickets.

Mr. CUMMINGS. A Mormon cricket is a large black cricket, bigger than a grasshopper. When these crickets walk across the country there is nothing left in the way of food for livestock. They are as bad as grasshoppers.

Mr. RICH. What will be the additional cost as a result of putting these terms in the agricultural bill?

Mr. CUMMINGS. Nothing at all. This is not to appropriate any money, but simply to make it possible to use it when those crickets and grasshoppers attack. If you poison them when they are small and before they start to move you can kill them, but if you wait 2 or 3 weeks until they go all over the country you cannot do much about them. We had a small campaign in Nebraska last year and at the expense of about \$1,000,000 saved over \$60,000,000 of crops.

Mr. RICH. I thought these Mormon crickets came only from Utah.

Mr. CUMMINGS. This applies to Utah.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, there are two questions which come to my mind that I wish the gentleman would explain. One is that this bill removes a limitation previously placed upon the amount of \$2,000,000 which was available for this purpose. I wish the gentleman would explain what brake there is upon the unwarranted authorization of moneys in addition to that which we previously authorized. Will the gentleman also explain the provision in the bill which allows the Secretary to make purchases without regard to the provision of the law which requires competitive bids to be made?

Mr. CUMMINGS. This bill is asked for by the Department of Agriculture and has been passed, as the gentleman knows, by the Senate. It does not appropriate any additional funds, and so far as purchase of supplies is concerned there is no money contributed to any State. The supplies, which include poison and the bait necessary to kill the insects, are purchased by the Department and sent to the State and the State distributes them.

Mr. WOLCOTT. The gentleman stated this is an emergency measure?

Mr. CUMMINGS. It is.

Mr. WOLCOTT. And, as I understand, you do not know when these eggs are to be hatched because they do not hatch at any particular time of the year.

Mr. CUMMINGS. No; the season varies. For instance, roses are in bloom in Washington now, but I have been here 6 years and I have never seen them in bloom this early before, and you can never tell in advance on account of the weather.

Mr. WOLCOTT. There is also a provision in here that allows them to make purchases in disregard of section 3709 of the Revised Statutes, possibly due to the fact that they could not comply with the provisions of that section and still give this relief.

Mr. CUMMINGS. The gentleman has stated it better than I could.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman permit me to say a word here?

Mr. WOLCOTT. I yield to the gentleman.

Mr. MARTIN of Colorado. The forecast of the Department of Agriculture for 1937 was that 24 States would be infested, and actually 22 States were infested, showing how close to absolute accuracy the forecast was. I have been told by the Department of Agriculture and by all observers on the ground in Colorado that the infestation this year will be worse than last year, although that was a record year to date. Last year they got started too late. The Federal Government got into action too late and they want to guard against that this year by being permitted to have immediate action at Washington with respect to the appropriation.

Mr. CUMMINGS. And it is also a fact that sometimes there will be an immense number of eggs that will not hatch. If they do not hatch, of course, they do not need the money, but if they do hatch they need it, and need it at once.

Mr. CASE of South Dakota. If the gentleman will permit, I may say with respect to the question raised earlier about Mormon crickets, the Mormon cricket, as the gentleman from Colorado has said, is just as destructive as the grasshopper; in fact, more so where they are present in large number, and they are moving east. I have been informed they are in Wyoming now and are on the border of South Dakota. They are hopping this way fast and will reach Michigan in time.

Mr. LORD. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. LORD. Mr. Speaker, may I inquire if this will apply to tent caterpillars? In the North they are destroying our fruit trees. They eat off the leaves of the tree and many of

our trees have already died. Will this apply to the tent caterpillar also?

Mr. CUMMINGS. I understand it will, but I do not know.

Mr. WOLCOTT. If I may answer the gentleman's question, section 1 of the bill provides for relief in that respect, because it provides that the Secretary of Agriculture may, in cooperation with authorities of the States concerned, organizations, or individuals, apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs as may be necessary. The gentleman's pest would probably come within the general classification named in the act.

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs," approved April 6, 1937, is amended to read as follows: "That the Secretary of Agriculture, in cooperation with authorities of the States concerned, organizations, or individuals, is authorized and directed to apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs as may be necessary.

"SEC. 2. Any sums which may be appropriated for such purpose shall be available for expenditure for the employment of persons and means in the District of Columbia and elsewhere, printing, rent outside the District of Columbia, general administration and supervision, surveys, and the purchase, transportation, and application of poison bait or materials and equipment for control of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, and for the preparation of such poison bait or materials for application, and such other expenses as may be necessary.

"SEC. 3. Materials and equipment for the control of such insect pests and plant diseases may be procured with any sums appropriated to carry out the provisions of this joint resolution without regard to the provisions of section 3709 of the Revised Statutes, as amended, and the transportation thereof may be under such conditions and means as shall be determined by the Secretary of Agriculture to be most advantageous.

"SEC. 4. In the discretion of the Secretary of Agriculture, no part of any sums appropriated to carry out the purposes of this joint resolution shall be expended for the control of incipient or emergency outbreaks of insect pests or plant diseases in any State until the State concerned has provided the organization or materials and supplies necessary for cooperation with the Federal Government.

"SEC. 5. No part of the sums hereinafter authorized to be appropriated shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

"SEC. 6. There are hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this joint resolution."

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIVERSITY OF ALASKA

The Clerk called the next bill, H. R. 9912, to convey to the University of Alaska a tract of land for use as the site of a fur farm experiment station.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby conveyed to the University of Alaska, a corporation created, established, and existing under and by virtue of an act of the Legislature of the Territory of Alaska, a tract of land situated in the Tongass National Forest near the town of Petersburg, Alaska, for use as the site of a fur-farm experiment station and described as follows:

Beginning at meander corner common to lot 4, section 35, township 59 south, range 79 east, Copper River meridian, and lot 4, section 2, township 60 south, range 79 east; thence with meander of Wrangell Narrows to meander corner common to lot 4, section 35, and lot 4, section 34; thence continuing meanders to southwest corner of home site numbered 614; thence following the boundary of said home site east 5 chains; thence north 7 chains to north boundary of lot 4, section 35, township 59 south, range 79 east; thence east 16.75 chains along said boundary to northeast corner said lot; thence south 20 chains along east boundary of said lot; thence west 13.69 chains to place of beginning. A public highway 1 chain wide passes through the tract, the center line of which begins at a point 7.73 chains from the initial corner of the tract, and extends north 22°55' W. 10 chains; thence north 37°55' E., approximately 10.75 chains to east boundary of home site numbered 614. Total area of tract is 36.93 acres.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF DELAWARE INDIANS

The Clerk called the next bill, S. 2326, to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925.

Mr. COCHRAN. I object, Mr. Speaker.

SETTLEMENT OF THE NORTHWEST TERRITORY

The Clerk called the joint resolution (H. J. Res. 647) to increase by \$15,000 the amount authorized to be appropriated for the observance of the anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory.

Mr. RICH. Reserving the right to object, Mr. Speaker, I would like to find out from the gentleman sponsoring this joint resolution why they need \$15,000 additional for this fair and also ask him if he can tell me where they are going to get the money?

Mr. SECREST. Mr. Speaker, may I explain to the gentleman that Congress appropriated \$100,000 for this celebration which is now in progress in the six States formed from the Northwest Territory. A part of this money, amounting, approximately, to \$15,000, was spent for publications that were sold to hundreds of thousands of school children in the Northwest Territory. When the commission collected the money for these books and publications it had to be turned directly into the Treasury of the United States. This measure does not increase the appropriation, but simply supplements it by the amount which has come back to the Treasury in this way.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That in addition to the amount authorized to be appropriated by section 4 of the joint resolution entitled "Joint resolution to provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory," approved August 2, 1935, as amended, there is hereby authorized to be appropriated not to exceed the sum of \$15,000.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLICATION OF PEANUT STATISTICS

The Clerk called the bill (S. 1998) to amend an act entitled "An act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture," approved June 24, 1936.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of the first section of the act entitled "An act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture," approved June 24, 1936, is amended to read as follows: "That the Secretary of Agriculture is hereby authorized and directed to collect and publish statistics of raw peanuts, shelled, unshelled, and crushed, and peanut oil, in the United States, received, shipped, and in the possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, crushers, salters, manufacturers of peanut products, and owners other than the original producers of peanuts: *Provided*, That the Secretary may, in his discretion, omit for any period of time to collect such statistics from any or all salters of peanuts or manufacturers of peanut products who used, during the calendar year preceding that for which statistics are being collected, less than 30,000 pounds of shelled and unshelled peanuts."

SEC. 2. That section 2 of such act of June 24, 1936, is amended to read as follows: "The Secretary is hereby authorized and directed to collect and publish statistics of the quantity of peanuts picked or threshed by any person owning or operating peanut picking or threshing machines."

SEC. 3. That the first sentence of section 3 of such act of June 24, 1936, is amended to read as follows: "It shall be the duty of every warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner or operator of peanut picking or threshing machines to furnish promptly upon request of the Secretary, within the time prescribed by him, completely and correctly to the best of his knowledge, a report of the quantity of peanuts and peanut oil received, shipped, and on hand and in the case of an operator of peanut picking and threshing machines the quantity picked or threshed, segregating in accordance with forms furnished for the purpose by the Secretary."

With the following committee amendments:

Page 2, line 4, after the word "received", insert the word "processed", and after the word "and" in the same line insert the words "owned by or."

Page 3, line 4, after the word "received", insert the word "processed", and in the same line after the word "and" where it occurs the first time insert the words "owned by or".

The committee amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL LEAVE, EMERGENCY FLEET CORPORATION EMPLOYEES

The Clerk called the bill (H. R. 10316) to amend section 203 of the Merchant Marine Act, 1936, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That section 203 of the Merchant Marine Act, 1936, is hereby amended by inserting "(a)" after "Sec. 203.", and by adding at the end of such section a subsection to read as follows:

"(b) All payments made by the United States Shipping Board (Emergency) Merchant Fleet Corporation to its employees in settlement of its liability arising out of contracts of employment between said United States Shipping Board (Emergency) Merchant Fleet Corporation and its employees on account of leave earned in the years 1918-19 are hereby approved and confirmed. All persons to whom such payments were made are hereby released from any liability to refund or repay to the Government such payments, and no deductions on account of any such payments shall be made from any amounts otherwise due or payable out of Government funds to such persons."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISHERY CONSERVATION, COLUMBIA RIVER BASIN

The Clerk called the bill (S. 2307) to provide for the conservation of the fishery resources of the Columbia River, establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho, and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object in order to ask the gentleman in charge of the bill a question or two. When the President of the United States was given authority to spend \$4,880,000,000 he granted money to build the Bonneville Dam and also granted money to start the Grand Coulee Dam. At that time it was stated by the Secretary of the Interior that they were going to build ladders for the fish in the Columbia River to climb up in order to get over the dam. It appears they spent hundreds of millions, or will have spent that, for the building of these ladders for these fish to climb up; and I want to know of the gentleman from Virginia why they have not been able to educate the fish to get over the ladders, and why he is coming in here now and asking for half a million or more dollars to start fish hatcheries. Will the gentleman explain that?

Mr. BLAND. Mr. Speaker, if the gentleman will pardon me, I do not know why the fish would not learn as they should have learned; but they did not learn; and then, also, this situation has developed. Above the dam there are about 40 miles of backwater, and it seems there is some question about the fish going through that water and into the rushing waters up to their spawning grounds; and then, after they have spawned, there is the question of getting the fingerlings back into the stream and down so that they will go out into the waters and preserve the salmon. So far as the construction of dams and ladders is concerned, I am not able to answer; but the situation is that an emergency has developed by reason of conditions, not only because of the construction of the Bonneville Dam, but also because of the construction of irrigation plants and reclamation projects, and all that sort of thing, so that there was brought before the committee maps showing a large area that was affected, and we had to take the matter as a practical proposition, a condition that was confronting us, threatening the fisheries of the Northwest, and we had to meet it the best way we could. Whether anyone was at fault or not these other gentlemen can answer.

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Mr. RICH. Then the gentleman will admit that the statements made that the Bonneville Dam and the Grand Coulee Dam were not going to interfere with the salmon fisheries in the Columbia River were not correct, and the gentleman also admits that a mistake was made by building those dams, because it will ruin the salmon industry in the Columbia River.

Mr. BLAND. I do not know that I would go so far in my admissions. I admit there is serious danger of ruining the salmon fisheries there, and they are being damaged, but as to the other statements I would rather check up on them before admitting their truth.

Mr. RICH. If the gentleman would rather check up on them, why is he in here asking us to authorize half a million dollars to build fish hatcheries to raise salmon to put into these rivers—if these dams did not destroy to a certain extent the salmon industry?

Mr. BLAND. They did to a certain extent. This is to correct that condition.

Mr. RICH. And this is not the first thing that this administration has destroyed. It has destroyed a whole lot of things, and if you do not watch out you will destroy this whole country.

Mr. BLAND. We will try not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to establish one or more salmon-cultural stations in the Columbia River Basin in each of the States of Oregon, Washington, and Idaho. Any sums appropriated for the purpose of establishing such stations may be expended, and such stations shall be established, operated, and maintained, in accordance with the provisions of the act entitled "An act to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries," approved May 21, 1930, insofar as the provisions of such act are not inconsistent with the provisions of this act.

Sec. 2. The Secretary of Commerce is further authorized and directed (1) to conduct such investigations, and such engineering and biological surveys and experiments, as may be necessary to direct and facilitate conservation of the fishery resources of the Columbia River and its tributaries; (2) to construct, install, and maintain devices in the Columbia River Basin for the improvement of feeding and spawning conditions for fish, for the protection of migratory fish from irrigation projects, and for facilitating free migration of fish over obstructions; and (3) to perform all other activities necessary for the conservation of fish in the Columbia River Basin in accordance with law.

Sec. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, or so much thereof as may be necessary, to carry out the purposes of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MATTAPOISETT LIGHTHOUSE RESERVATION

The Clerk called the bill (H. R. 9942) to authorize the conveyance of the Mattapoisett (Ned Point) Lighthouse Reservation at Mattapoisett, Mass., to the town of Mattapoisett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to convey to the board of selectmen of the town of Mattapoisett, Mass., for roadway and public-park purposes, such portions of the Mattapoisett (Ned Point) Lighthouse Reservation, Mass., as are not required to be retained for lighthouse purposes. The deed of conveyance shall describe by metes and bounds the exact portions of the reservation transferred.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That for a price if not less than 50 percent of the appraised value of the property hereinafter authorized to be conveyed, as may be established by the Treasury Department after due allowance for the value of any improvements which the town of Mattapoisett, Mass., may have already erected on the property, the Secretary of the Treasury is authorized and directed to convey, by quitclaim deed, to the board of selectmen of the town of Mattapoisett, Mass., for roadway and public-park purposes, such portions of the Mattapoisett (Ned Point) Lighthouse Reservation, Mass., as are not required to be retained for lighthouse

purposes. The deed of conveyance shall describe by metes and bounds the exact portions of the reservation transferred, and shall contain a clause reserving to the United States easements for the transportation of men and materials to and from the area retained by the United States and for the unobstructed showing of light rays between 90° and 310° true seaward from the light tower. The said deed shall further provide that the said town of Mattapoisett shall take the property conveyed by said deed subject to any encroachments thereon and subject to any defects or deficiencies in area or description arising by reason of discrepancies between the description in the deed to the United States and the description in the deed to the town."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LIGHTHOUSE SERVICE

The Clerk called the next bill, H. R. 9973, to improve the efficiency of the Lighthouse Service, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in all appropriations hereafter made for "General expenses Lighthouse Service" there is authorized to be made available not exceeding \$1,500 in any fiscal year, under rules prescribed by the Secretary of Commerce, for paying the actual and necessary traveling expenses of new appointees from ports of embarkation in the United States to first post of duty at isolated light stations, in districts outside the continental limits of the United States.

SEC. 2. That in all appropriations hereafter made for "General expenses, Lighthouse Service" there is authorized to be made available not exceeding \$2,500 in any fiscal year, for the transportation, under regulations prescribed by the Secretary of Commerce, of the children of lighthouse keepers at isolated light stations where necessary to enable such children to attend school.

SEC. 3. Money accruing from commutation of rations and provisions for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons on board of such tenders or vessels, after payment on proper vouchers to the officer in charge of the mess of such vessel or party, as provided by law, may be expended and accounted for pursuant to regulations prescribed by the Secretary of Commerce, notwithstanding the provisions of the act of June 26, 1934 (48 Stat. 1233).

SEC. 4. Section 4661 of the Revised Statutes (U. S. C., 1934 edition, title 33, sec. 727) is hereby amended so as to read as follows: "No lighthouse, beacon, public pier, or landmark shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States: *Provided*, That cession of jurisdiction shall not be required in the case of sites lying under navigable waters of the United States."

With the following committee amendment:

Page 2, line 17, strike out all of section 4.

The committee amendment was agreed to.

The bill was authorized to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THIRD PAN AMERICAN HIGHWAY CONFERENCE

The Clerk called the joint resolution (H. J. Res. 659) to authorize an appropriation for the expenses of participation by the United States in the Third Pan American Highway Conference.

Mr. COSTELLO. Mr. Speaker, I make the point of order that this resolution and the next bill, Calendar Nos. 690 and 691, have not been on the calendar for 3 legislative days, and, therefore, may not be called at this time.

The SPEAKER pro tempore. The Chair sustains the point of order.

ALASKAN INTERNATIONAL HIGHWAY COMMISSION

The Clerk called the next bill, H. R. 8177, to create a commission to be known as the Alaskan International Highway Commission.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the bill?

Mr. LUTHER A. JOHNSON. Mr. Speaker, this bill authorizes the creation of a commission on the part of our Government to confer with a similar commission on the part of the Canadian Government with reference to the construction of an international highway from Seattle to Fairbanks, Alaska. I may say to the gentleman from Massachusetts that in 1930 we passed a bill which created a commis-

sion to make a report as to the feasibility of such a highway. This report has been made. It was made in May 1933 and was to the effect that the highway was a feasible project, and that it could be built at a reasonable cost.

The Canadian Government is sympathetic to this project, but, since a large portion of the highway is in their country, it is necessary to have an agreement with reference to a division of the cost of construction. This bill is to expedite the consideration of the matter. The highway from Seattle to Fairbanks, Alaska, is about half completed at the present time.

Mr. MARTIN of Massachusetts. What will be the estimated cost?

Mr. LUTHER A. JOHNSON. That is what this commission will try to determine.

Mr. MARTIN of Massachusetts. Is this a paid commission?

Mr. LUTHER A. JOHNSON. No. The members of this commission will receive no compensation whatever. It will confer with a like commission appointed by the Canadian Government.

Mr. MARTIN of Massachusetts. And will report back to the House?

Mr. LUTHER A. JOHNSON. The commission will, within 2 years, report to the President of the United States, and the President is required to transmit said report to the Congress of the United States. This highway will be of great benefit to the United States in connecting the colonial United States with one of its dependencies, and is important, both as a matter of national defense as well as in promoting trade and commerce between Alaska and the United States.

Mr. RICH. Mr. Speaker, reserving the right to object, I can understand the importance of having such a highway. The thing of immediate importance is that this is a commission which will serve without pay. I would like to know who these men are going to be.

Mr. LUTHER A. JOHNSON. They will be patriotic Americans who, I am sure, will meet the approval of the gentleman from Pennsylvania. The commission will be composed of five members, one a citizen of Alaska, one a Member of the Congress of the United States, and three citizens of the United States.

Mr. RICH. I congratulate the gentleman on securing a commission of this kind.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mrs. ROGERS of Massachusetts. My recollection is that the bill was reported unanimously by the committee.

Mr. LUTHER A. JOHNSON. The gentleman from Massachusetts is correct; the bill was unanimously reported by the Committee on Foreign Affairs.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States, within 90 days from the passage of this act, shall appoint, and he is hereby empowered to appoint, a Commission to be known as the Alaskan International Highway Commission, to be composed of five members, one a citizen of the Territory of Alaska, one a Member of the Congress of the United States, and three citizens of the United States of America; said Commissioners to be appointed for a 2-year term and to serve without salary or other compensation. Said Commission shall be authorized by the President to cooperate and communicate directly with any similar agency which may be appointed in the Dominion of Canada in a study for the survey, location, and construction of a highway to connect the Pacific Northwest part of continental United States with British Columbia and the Yukon Territory in the Dominion of Canada, and the Territory of Alaska. Said Commission may cooperate with any such agency in the Dominion of Canada in the study of specifications, estimates, and plans for the financing of the construction and maintenance of said road. Said Commission shall, within 2 years after their appointment, report to the President of the United States the extent and results of their activities and of any conferences relative to such highway, and the President of the United States shall transmit said report to the Congress of the United States.

Mr. BEITER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, according to newspapers, the latest idea regarding the recovery recommendations is to put the funds for public works in the hands of Jesse Jones, R. F. C. Administrator.

I fail to see the wisdom of putting this money in the hands of a banker; if we are going to continue the public-works program and appropriate funds to set in operation the projects which have already been approved by the existing P. W. A. agency, why permit Mr. Jones to step in now and take the whole thing out of the hands of the experienced and able P. W. A. Administrator, Mr. Harold Ickes?

The Members of this House are probably all too familiar with the fact that if Mr. Jones gets hold of this program there will not be any P. W. A. The loan program undertaken by the Reconstruction Finance Corporation so far, at least as far as my district is concerned, has been a dismal failure. It was intended to make funds available to maintain or increase employment to all types of business, little and big. Its industrial loan program of an earlier date did not reach any sizable proportion; neither will this present one under Mr. Jones' "mean man" policies.

In order to obtain a loan a businessman is required to put up collateral, which, if he had it, would enable him to obtain the loan from a bank in the first place. Even less is expected of the new R. F. C. loans-to-industry program. It was said when this program was first presented to Congress that the new plan would include hazardous loans. We were told that rescue loans would be made, and that the regulations formerly used would be broadened considerably. Nothing could be further from what has actually happened. We are told now—after congressional authorization is obtained—that the R. F. C. has no intention of making loans on character alone; that firms wanting to get any money must have assets to cover. Before they can get a dime they must show what that dime can be expected to bring in in the way of profits. And ample collateral is demanded—and when I say "ample," I mean just that. Mr. Jones has stated that he is the "mean" man of the administration. He says this with pride. He states, according to newspaper releases, that the impression that the R. F. C. will make loans without security is not true, and his agency is insisting on adequate security. He goes even further and states that those who are looking for Government money will have a hard time getting it.

As you all know, Mr. Jones opposes the President's recommendations for recovery and relief. He is against a spending program. One assumes from this that if he gets hold of this P. W. A. program he will use the same tactics he is using in holding on to the money Congress appropriated for the loans-to-industry program—the money will be tied up and the intent of Congress again defeated.

In view of his opposition to a spending program, Mr. Jones' desires to administer the P. W. A. cannot in any sense be regarded as a sincere attempt to help the communities and municipal districts sponsoring these public-works projects.

I am going to vigorously oppose any movement to give this program the "kiss of death" by putting it into the hands of the Reconstruction Finance Corporation. Those of you who are interested in carrying out a useful, worth-while program of public works of durable character will do likewise.

Secretary Ickes, in his role as P. W. A. Administrator, has proven to be a trustworthy and efficient director. Why on earth should we even consider taking this program away from him? He has approved several thousand construction enterprises for which only the funds are needed; however, there are contract details to be worked out and supervision to be furnished for the projects with which Mr. Ickes' staff is familiar and experienced. He has a trained staff of financial, engineering, and legal experts.

I hope this House will recognize the fact in facing the problem of Government aid to business that the people of this country do not object to having their money spent where definite benefits are discernible. Clearly, P. W. A. has done a splendid job in the past and can continue to do so if it does not fall into hostile hands. Ably managed, P. W. A. has brought about the construction of 24,000 projects all over the country—cost, around \$4,000,000,000. I think everyone will agree that it has performed a creditable part of the recovery program. Let us work out a sensible program for its continuance under Administrator Ickes, who is responsible for this fine performance. [Applause.]

Mr. DEBOEN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, the P. W. A.—

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. It is apparent the gentleman from Louisiana is going to speak on some subject not germane to the bill under consideration. I think we ought to complete the business on the calendar before we start this political fireworks, and also in justice to those who have already secured orders to address the House. For this reason I object to any further speeches out of order.

Mr. MILLS. Mr. Speaker, I make the point of order that the gentleman from Louisiana had already been recognized before the gentleman from Massachusetts objected.

The SPEAKER pro tempore. The gentleman from Louisiana had not secured recognition. The gentleman from Massachusetts, therefore, was within his rights in objecting. Objection is heard.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA REVENUE ACT, 1937

Mr. PALMISANO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table, H. R. 10066, to amend the District of Columbia Revenue Act of 1937, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, may I ask the gentleman from Maryland [Mr. PALMISANO] if it is his purpose to bring up either today or tomorrow the conference report on the taxicab liability insurance?

Mr. PALMISANO. I informed the gentleman I would not bring it up today.

Mr. O'MALLEY. How about tomorrow?

Mr. PALMISANO. If the Speaker will recognize me tomorrow, I expect to call it up at that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. PALMISANO, NICHOLS, and DIRKSEN.

There was no objection.

BRIDGE ACROSS OHIO RIVER BETWEEN ROCKPORT, IND., AND OWENSBORO, KY.

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9688) to extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, do I understand this meets with the approval of the Republican members of the gentleman's committee?

Mr. CHAPMAN. This bill has the unanimous report of the committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky., authorized to be built by the Spencer County Bridge Commission by an act of Congress approved June 18, 1934, and extended 1 and 3 years, respectively, from June 18, 1936, by an act of Congress approved April 10, 1936, and again extended 1 and 3 years, respectively, from June 18, 1937, by an act of Congress approved June 2, 1937, is again extended 1 and 3 years, respectively, from June 18, 1938.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN SERVICE BUILDINGS COMMISSION

Mr. McREYNOLDS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5633) to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of further carrying into effect the provisions of the Foreign Service Buildings Act, 1926, as amended, there is authorized to be appropriated, in addition to the amount authorized by such act, an amount not to exceed \$5,000,000, of which not more than \$1,000,000 shall be appropriated for any 1 year. Sums appropriated pursuant to this act shall be available for the purposes and be subject to the conditions and limitations of such act, as amended: *Provided*, That in the expenditure of appropriations for the construction of diplomatic and consular establishments, the Secretary of State shall, unless in his discretion the interests of the Government will not permit, purchase or contract for only articles of manufacture of the United States, notwithstanding that such articles, when delivered abroad, may cost more if such excess of cost be not unreasonable.

The SPEAKER pro tempore. Is a second demanded?

Mr. MARTIN of Massachusetts. Mr. Speaker, I demand a second.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I do not know that there is any objection to this bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would suggest that the gentleman make a brief statement in reference to the bill.

Mr. McREYNOLDS. Mr. Speaker, this bill authorizes the sum of \$5,000,000 for the construction of foreign buildings and covers a period of 5 years. I may say further that not over \$1,000,000 may be spent in any 1 year, if it is in order to spend that much.

This bill has been approved by the foreign buildings commission unanimously, by the Committee on Foreign Affairs of the House, by the Secretary of State, the Director of the Budget, and the President of the United States. Of course, before any building may be undertaken, we necessarily have to go before the Appropriations Committee and make out a case, showing what the money is to be spent for.

The reason for this bill is to provide a long-term planning program. I do not think there will be any call under this authorization during the next year. However, in erecting these buildings in foreign countries it takes some time, investigation, and planning, and we want this authorization so that this may be carried out.

We have quite a number of places where we want to erect buildings in the future and at such time that we can make the proper plans. For instance, in Cuba our old building is gone. We have no building in Panama, Haiti, San Domingo, and various countries in Central America and South America. We hope to erect small buildings down there costing probably \$40,000 or \$50,000 whenever we can. That is the

whole purpose of the bill and I know of no objection. If there is any information any Member of the House desires, I will be glad to give it if I can.

Mr. SHORT. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Missouri.

Mr. SHORT. I wonder if the distinguished chairman of the Committee on Foreign Affairs can inform Members of the House just how much money it is contemplated to spend under this bill. I understand that some \$5,000,000 is to be spent ultimately in the construction of these buildings.

Mr. McREYNOLDS. I presume in the course of perhaps 8 years that will all be spent. It will take some time. I do not know how long it will take.

Mr. SHORT. It is not contemplated to spend any of this money immediately?

Mr. McREYNOLDS. Not within the next year, because we have under another appropriation a small amount of money left over.

Mr. SHORT. I am glad to get that information.

Mr. McREYNOLDS. We have no plans that I know of which would call for \$1,000,000 within the next year.

Mr. O'MALLEY. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. Is it contemplated that any of this money will be spent in the Philippines?

Mr. McREYNOLDS. No; not this money. That is covered by a different bill, which is not under the jurisdiction of the Committee on Foreign Affairs.

Mr. RICH. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman spoke about these homes for our foreign diplomats costing not to exceed \$50,000. Does that mean the committee will recommend that all buildings be constructed at not to exceed that sum?

Mr. McREYNOLDS. No. I think the gentleman got the wrong construction. We expect to have some business dwellings built that we hope will not cost more than \$40,000 or \$50,000 in Central or South America. We have to put up nice buildings.

Mr. RICH. Yes; but if I had \$50,000 to buy a house right here in the city of Washington, I would think it was a pretty fine home.

Mr. McREYNOLDS. I thought the gentleman did have such a home.

Mr. RICH. If I had \$50,000 I would think I was a millionaire. I am wondering whether all of these fellows in Congress will want to be diplomats when we spend all this money for new homes.

Mr. McREYNOLDS. From the gentleman's report on his business last year and how he had made money, I supposed he was a millionaire.

Mr. RICH. The gentleman knows more about my business than I do myself because anyone who knows anything about business at all today is a dandy if he knows where he is going under the present administration, because this administration is trying to ruin every business in this country, and that is what I am complaining about.

There is going to be no object for anybody to be in business here. If you want to start something about business I will tell you something about the business of this administration. I believe this administration is one of the most unprincipled business organizations that has ever been established.

Mr. McREYNOLDS. When the report came out last year showing what an extraordinary business the gentleman had I asked him about it.

Mr. RICH. If the gentleman wants to talk about my business I will be glad to discuss it with him, but what is my business is not everybody's business. I just want to say to the gentleman he should be careful when he starts something here that does not concern him, as I will get a lot of advertisement that might be worth a whole lot of

money to me, because I manufacture the best woollens in the world.

Mr. McREYNOLDS. Is that the reason the gentleman speaks so often?

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Michigan.

Mr. DONDERO. The use of this money for the building of structures in foreign countries will depend upon the country, the type of building we need there, the size of that country, and the amount of business we do there.

Mr. McREYNOLDS. Certainly. We may have to put up a \$1,000,000 building.

Mr. DONDERO. Some of the buildings may be small and some may be large.

Mr. McREYNOLDS. Yes. I am speaking about some small buildings we hope to erect.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. As I understand, the original suggestion for this bill came from the Committee on Appropriations, members of which suggested the bill as an economy move.

Mr. McREYNOLDS. I would say that the gentleman from New York [Mr. BACON], a member of the Committee on Appropriations, is very much in favor of this bill. He asked me to send for him, and stated he wanted to take some time to speak in favor of the bill, but I see he is not here at the moment.

Mr. Speaker, I reserve the balance of my time.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, this bill was reported unanimously out of the committee. I believe that in the main the committee felt the work done by the Foreign Service Buildings Commission has been extremely well done. It is very necessary for us to have our own buildings in foreign countries. It is just another step in making our Foreign Service better and improving our status abroad. As a matter of economy it is wise for us to own buildings for which we would otherwise have to pay rental. Ours is a very great nation, and should be treated as a very great nation. Mr. Speaker, our Nation is entitled to own its own buildings in foreign countries. We are less well off in that respect than any great nation in the entire world. Of course, it has been the plan in some instances, and wherever possible, to house the business part, the chancery, as well as the living quarters, in the same building in foreign countries and thereby save overhead.

Mr. Speaker, special attention is to be given to the placing of buildings in the countries of South and Central America. Today there is every reason for us to be on the most friendly, and upon the most favorable terms, with the countries of South and Central America. We have their respect and they have ours. They have our liking, and I believe they like us. We have many interests in common.

Mr. Speaker, I am heartily in favor of this measure. I believe, and earnestly hope, it will pass without any opposition.

May I say further, Mr. Speaker, that it is not everyone who knows of the very fine work of Judge McREYNOLDS, the chairman of this Commission. He has been very fair in his dealings with everyone, and we are all eager to have him succeed with the building program. The House Members appreciate his unselfishness and patriotism in setting aside his opportunity of winning a seat in the United States Senate, in order to do what he felt was his patriotic duty by remaining as a Member of the House of Representatives and chairman of the great Foreign Affairs Committee. The Congress today, in view of the chaotic conditions among nations, needs experienced minds and calm judgment. [Applause.]

The SPEAKER pro tempore. The question is on the suspension of the rules and the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed, and a motion to reconsider was laid on the table.

FORT PECK PROJECT, MONTANA

Mr. O'CONNELL of Montana. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2650) to authorize the completion, maintenance, and operation of Fort Peck project, Montana, and for other purposes, as amended by the House Committee on Rivers and Harbors.

The Clerk read as follows:

Be it enacted, etc., That for the purpose of improving navigation on the Missouri River, and for other purposes incidental thereto, the dam and appurtenant works now under construction at Fort Peck, Mont., and a suitable power plant for the production of hydroelectric power (which dam, power plant, and appurtenant works are hereinafter called Fort Peck project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this act relating to the powers and duties of the Bureau of Reclamation (hereinafter called the Bureau), as provided for in section 2 (a), respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Fort Peck project such machinery, equipment, and facilities for the generation of electric energy as the Bureau may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam at such project and the navigation facilities employed in connection therewith shall be delivered to the Bureau for disposition as provided in this act.

Sec. 2. (a) The electric energy generated in the operation of the said Fort Peck project shall be disposed of by the Bureau as hereinafter provided. The Bureau shall exercise the powers and perform the duties provided for in this act under the supervision and direction of the Secretary of the Interior in accordance with the act of May 26, 1926 (44 Stat. 657). The Bureau shall, as hereinafter provided, make all arrangements for the sale and disposition of electric energy generated at the Fort Peck project not required for the operation of the dam at such project and the navigation facilities employed in connection therewith. The form of administration herein established for the Fort Peck project is intended to be provisional pending the establishment of a permanent administration for Fort Peck and other projects in the Missouri River Basin. The Secretary of War shall install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Fort Peck project when in the judgment of the Bureau such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electrical generating units and appurtenant equipment of the Fort Peck project in accordance with the requirements of the Bureau. The Secretary of War shall provide and maintain for the use of the Bureau at said Fort Peck project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the Bureau for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the Bureau for the transmission of such energy from that place at suitable voltage to the markets which the Bureau desires to serve.

(b) In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the Bureau is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as it finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Fort Peck project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Fort Peck project with either private or with other Federal projects and publicly owned power systems now or hereafter constructed.

(c) The Secretary of the Interior is authorized, in the name of the United States, to acquire, by purchase, lease, condemnation, or donation, such real and personal property, or any interest therein, including lands, easements, rights-of-way, franchises, electric transmission lines, substations, and facilities and structures appurtenant thereto, as he finds necessary or appropriate to carry out the purposes of this act. Title to all property and property rights acquired by said Secretary shall be taken in the name of the United States.

(d) The Secretary of the Interior shall have power to acquire any property or property rights, including patent rights, which in his opinion are necessary to carry out the purposes of this act, by purchase, lease, donation, or by the exercise of the right of eminent domain and to institute condemnation proceedings therefor in the same manner as is provided by law for the condemnation of real estate.

(e) The Secretary of the Interior is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes

of this act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this act.

(f) Subject to the provisions of this act, the bureau is authorized, in the name of the United States, to negotiate and enter into such contracts, agreements, and arrangements as it shall find necessary or appropriate to carry out the purposes of this act.

Sec. 3. As employed in this act the term "public body," or "public bodies," means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof.

As employed in this act, the term "cooperative," or "cooperatives," means any form of non-profit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

Sec. 4. In order to insure that the facilities for the generation of electric energy at the Fort Peck project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the Bureau shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

Sec. 5. Schedules of rates and charges for electric energy produced at the Fort Peck project and sold to purchasers as in this act provided shall be prepared by the Bureau and become effective upon confirmation and approval thereof by the Federal Power Commission. Subject to confirmation and approval by the Federal Power Commission, such rate schedules may be modified from time to time by the Bureau and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rates or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Fort Peck project.

Sec. 6. It is the intent of Congress that rate schedules for the sale of electric energy which is or may be generated at the Fort Peck project in excess of the amount required for operating the dam and appurtenant works at said project shall be determined with due regard to and predicated upon the fact that such electric energy is developed from water power created as an incident to the construction of the dam in the Missouri River at the Fort Peck project for the purposes set forth in section 1 of this act. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of Fort Peck project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment over a reasonable period of years. Rate schedules shall be based upon an allocation of costs made by the Federal Power Commission. In computing the cost of electric energy developed from water power created as an incident to and a byproduct of the construction of Fort Peck project, the Federal Power Commission may allocate to the costs of electric facilities such a share of the cost of facilities having joint value for the production of electric energy and other purposes as the power development may fairly bear as compared with such other purposes.

Sec. 7. Notwithstanding any other provision of law, all purchases and contracts made by the Bureau or the Secretary of War for supplies or for services, except for personal services, shall be made after advertising, in such manner and at such times, sufficiently in advance of opening bids, as the Bureau or Secretary of War as the case may be, shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed \$500; in which cases such purchase of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards, the Bureau or the Secretary of War, as the case may be, may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

Sec. 8. (a) The Bureau, subject to the requirements of the Federal Water Power Act, shall keep complete and accurate accounts of operations, including all funds expended and received in connection with transmission and sale of electric energy generated at the Fort Peck project.

(b) The Bureau may make such expenditures for offices, vehicles, furnishings, equipment, supplies, and books; for attendance at meetings; and for such other facilities and services as it may find necessary for the proper administration of this act.

(c) In December of each year, the Secretary of the Interior shall file with the Congress a financial statement and a complete report as to the transmission and sale of electric energy generated at the Fort Peck project during the preceding governmental fiscal year.

Sec. 9. The Secretary of the Interior, the Secretary of War, and the Federal Power Commission, respectively, shall appoint such attorneys, engineers, and other experts as may be necessary for

carrying out the functions entrusted to them under this act, without regard to the provisions of the civil-service laws, and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed \$7,500 per annum; and they may, subject to the civil-service laws, appoint such other officers and employees as may be necessary to carry out such functions and fix their salaries in accordance with the Classification Act of 1923, as amended. In the administration of this act the services of regular employees in the Bureau may be utilized and an equitable part of the salaries of such employees whose services are thus utilized may be charged by the Bureau to the operating costs of the power features of the Fort Peck project. The Bureau similarly may utilize and charge for facilities of the Bureau which economically can be used in connection with the administration of this act.

Sec. 10. All receipts from transmission and sale of electric energy generated at the Fort Peck project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from such receipts a continuing fund of \$500,000, to the credit of the Bureau and subject to expenditure by it, to defray the operating expense of generation and transmission of power delivered to the Bureau for disposal under this act, to defray emergency expenses and to insure continuous operation. There is hereby authorized to be appropriated from time to time, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act, including installation of equipment and machinery for the generation of electric energy, and facilities for its transmission and sale.

Sec. 11. The Secretary of the Interior may, in the name of the United States, under the supervision of the Attorney General, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this act; and he shall be represented in the prosecution and defense of all litigation affecting the status or operation of the Fort Peck project by the United States attorneys for the districts, respectively, in which such litigation may arise, or by such attorney or attorneys as the Attorney General may designate as authorized by law, in conjunction with the regularly employed attorneys of the Bureau.

Sec. 12. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

The SPEAKER pro tempore. Is a second demanded?

Mr. CULKIN. Mr. Speaker, I demand a second.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. O'CONNELL] is recognized for 20 minutes and the gentleman from New York [Mr. CULKIN] is recognized for 20 minutes.

Mr. O'CONNELL of Montana. Mr. Speaker, the bill S. 2650 is a bill to authorize the construction of the necessary power facilities at the Fort Peck Dam, for the generation of electrical energy. As most of you know, about \$100,000,000 has been expended on the construction of that dam but up to the present time there has been no authorization for the construction of the hydroelectric plant necessary to generate power. For 5 years now, there has been constant agitation all through Montana, particularly in the eastern section of the State where a terrible drought situation exists, for an authorization to generate power for pumping purposes for irrigation, and for sale to farm cooperatives, rural electric associations, public bodies, and others, with absolute preference to cooperatives, rural associations, and public bodies.

SENATE BILL DISCARDED, HOUSE ADOPTS OWN BILL

However, despite all this agitation on the part of our people, the desperate need for power and the terrible drought situation during these 5 years, no legislation had been introduced to set up the necessary facilities. A few days after I came to the Congress of the United States I introduced a bill authorizing the necessary construction of the powerhouse, turbines, and the hydroelectric plant required. This was the first bill introduced and I feel certain that the House will pass it today and bring success to my efforts.

Because of my action the people of Montana became aroused and others under this pressure who apparently before were sleeping climbed on the band wagon. About 6 months after the introduction of my bill, a bill carrying many objectionable features was introduced in the Senate. Prac-

tically valueless, it passed the Senate, came to the House and was referred to the Committee on Rivers and Harbors. The House committee, before which I appeared many times, recognized the great inadequacies of the Senate bill, struck out all the provisions after the enacting clause and inserted its own bill which was substantially the legislation which I had introduced. This removed the many objections made by the administration and the various Departments involved and was unanimously reported by the committee to the House for passage. This meant also that the very splendid and able Republicans on the committee also favored the bill and would like to see it pass.

SENATE PATRONAGE REMOVED

Instead of the administrator set up in the Senate bill, a position which would have provided some more Senate patronage to the author, the House bill provides that the administration of the power plant will be under the Bureau of Reclamation, which knows the problems of the farmers in our State.

Commissioner Page, of the Reclamation Bureau, stated before the committee that the only interest the Bureau of Reclamation has in this measure is that irrigation in that area is badly needed to hold the population of that territory there; that it is almost wholly dependent upon cheap power for its operations; that a set-up as proposed for Bonneville project, with extensive overhead, would not be feasible with the small amount of power that would be available at Fort Peck; and that this amendment is an attempt at economy and a reduction of power rates, to make it available for any market which may exist there for irrigation or any other purpose of that kind.

The testimony before the committee developed the fact that over 200,000 acres of land have been taken out of production in the vicinity of the dam as a result of the operation of the Government's submarginal land policy and the purchasing program in connection therewith; that in every section of eastern Montana there are thousands of farm families that have been stranded as a result of that program; that if cheap power is made available, to pump water on the land, the farmers will be permitted to establish certain resettlement projects along the river that will be of great benefit to them; that there will not be a lot of additional land coming into cultivation with a resulting condition of competitive crops; that the development of this project will have the effect of taking these people off Government relief; and that the power produced would be used principally in irrigating these lands.

POWER DROUGHT INCREASES UNEMPLOYMENT

Not only are the people of eastern Montana and the Fort Peck section demanding the passage of this bill, but all the labor unions in the industrial centers are fighting for its enactment. For the past several years now, because of the low water supply, the Montana Power Co. has been unable to supply present power demand. As a matter of fact it has been able to meet only 73 percent of the demand. This inability is not only a tremendous inconvenience to the consumers but it has greatly increased unemployment in Montana. Because of this power shortage it became necessary to shut down the copper-refinery department, the rolling mill, and the wire mill of the selfish Anaconda Co. at its Great Falls smelter. In the city of Butte the Orphan Girl mine had to be closed, the slag plant at East Helena, and the sand tailings operations at Anaconda were suspended, thereby increasing the relief rolls and unemployment in my State. This is a situation which this legislation will remedy and it is the duty of our Government to help our people where private industry fails.

PRESIDENT ROOSEVELT ENDORSES LEGISLATION

The legislation has the endorsement of the farm organizations, the labor unions, and all civic organizations as well as the outstanding progressives in our State. At a White House conference on July 17, 1937, President Franklin D. Roosevelt assured me of his tremendous interest in the installation of hydroelectric power at Fort Peck. Confirming this confer-

ence by letter the President wrote me as follows: "I have always hoped and expected that some power would be developed at the Fort Peck Dam." The advantages of this legislation are many. It will revive that drought-stricken area; it will make it possible for this section to become economically independent and self-sufficient.

My distinguished colleague, JAMES F. O'CONNOR, has worked tirelessly, wholeheartedly, and sincerely for the enactment of this bill. As you all know he is making a gallant fight to recuperate his health destroyed by the arduous demands of his duties here. If he were present today I know he would endorse everything I have said and I know that this House can pay him no grander tribute than to pass this bill today.

I sincerely hope and trust that the House will see the justice of our demand, will recognize the tremendous need for this project, and give hope and encouragement to the great people of my State, who are battling so bravely against erosion, drought, and depression, and pass this bill under suspension of the rules.

I shall not take too much of the House's time, but if there are any questions that anyone may want to ask or if there is any explanation they may require, I shall be pleased to give it to them.

Mr. GREEVER. Mr. Speaker, will the gentleman yield?

Mr. O'CONNELL of Montana. I yield to the gentleman from Wyoming.

Mr. GREEVER. As I understand, the difference between the amended bill and the original measure is the striking out of the provision for a separate commission to take care of this power, and putting this in the hands of the Bureau of Reclamation in order that quite a sum of money may be saved in the administration of this power.

Mr. O'CONNELL of Montana. Yes; what the gentleman from Wyoming has said is absolutely correct. Instead of setting up a corporate authority or an administrator at a salary of about \$10,000 a year, the power to be disposed of has been turned over to the Bureau of Reclamation, which has offices very close to the dam at Malta, Mont., and a tremendous saving will be made and quite an economy effected by the change.

Mr. GREEVER. As a matter of fact, it will cost a very small amount to administer the power in this way as compared with having a separate commission?

Mr. O'CONNELL of Montana. The gentleman is perfectly right.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. O'CONNELL of Montana. I yield.

Mr. DONDERO. When we speak of the generation of power the first impression the ordinary Member of the House gets is that the power is generated for the purpose of lighting or for other domestic uses. This is an exception in that the power will be generated mostly for the purpose of furnishing power for irrigation, to rehabilitate the lands in the immediate vicinity of this dam in order that the people who are living in that region may get back on their feet and be taken off of relief and reestablish their farms which have been practically depopulated on account of the drought.

Mr. O'CONNELL of Montana. What the gentleman has stated is absolutely and perfectly correct.

Mr. DONDERO. This leaves the matter entirely in charge of the Army engineers under the direction of the Secretary of War?

Mr. O'CONNELL of Montana. That is absolutely correct.

Mr. Speaker, I reserve the balance of my time.

Mr. CULKIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am in favor of this bill and merely take this opportunity to stress the duty the Federal Government owes what is called the drought area of the United States. I have been strongly impressed with not only the duty but the obligation that the Federal Government owes to go into these areas and as far as possible, by irrigation and other treatment, reclaim these civilizations. If this is not done the work of the pioneers and their sufferings and sacrifices will

have been in vain. This applies to this situation in Montana around Fort Peck Reservoir, where there are some 150,000 people who have been driven off their farms and are now living in the Montana cities on P. W. A.

If this bill passes, a Senate bill in a slightly different form having already passed that body, it will enable the Government to put water on the land and bring back to life these areas that have been settled for at least a generation. This is sound legislation, and, while I personally was never very strongly sold on Fort Peck, this is one place where Fort Peck can be put to admirable use.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. CULKIN. In just a moment.

This does no violence to the utilities, because, as the distinguished gentleman from Montana has just said, there is a shortage of power in this locality, especially during seasons of low water, and the amount of horsepower developed there, I believe, will be approximately from 15,000 to 20,000. This legislation will enable these farmers to reclaim this land anew and make a living for themselves on the land instead of being supported by the Government.

I now yield to the gentleman from Missouri.

Mr. SHORT. The gentleman has already brought out the point I hoped he would make. I only wish to add that this does not bring any new land into cultivation.

Mr. CULKIN. No. I wish to stress that. It simply reclaims land that has been settled for at least one generation, and I repeat that I believe it is one of the first functions or first duties of the Federal Government to give aid, and immediate aid, so far as possible, to these old settled areas that have been affected by the drought. If this condition can be cured by the building of dams or the creation of lakes, this should be done. In comparison with this I oppose the type of development that is brought into play through the Grand Coulee where virgin lands, if you please, are brought into competition with existing, developed lands.

I am for this bill, and in its present phases I think it is very sound. I therefore strongly urge its favorable consideration by the House.

Mr. GREEVER. Mr. Speaker, will the gentleman yield?

Mr. CULKIN. I yield.

Mr. GREEVER. As I recall the hearings, this power is largely to be used for the pumping of water onto lands where homes are already built and where people have already settled?

Mr. CULKIN. That is true.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, everyone in this House knows that I am in principle opposed to the Government producing power in competition with private citizens or private enterprise. This project does not do either one of those things. The generation of power at this dam is a negligible quantity. What is produced there will be used to aid in the reclamation of land in that area without bringing new lands into production and for that reason I am in hearty accord with the bill and will support it.

At the bottom of page 4 of the report I read the following statement:

Commissioner Page of the Reclamation Bureau stated before the committee that the only interest the Bureau of Reclamation has in this measure is that irrigation in that area is badly needed to hold the population of that territory there; that it is almost wholly dependent upon cheap power for its operations; that a set-up as proposed for Bonneville project, with extensive overhead, would not be feasible with the small amount of power that would be available at Fort Peck; and that this amendment is an attempt at economy and a reduction of power rates, to make it available for any market which may exist there for irrigation or any other purpose of that kind.

With that statement, I confirm what the gentleman from Montana [Mr. O'CONNELL] has said, that this bill comes to the House with the unanimous approval of both the Democrats and the Republicans on the Rivers and Harbors Committee.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Montana, to suspend the rules and pass the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY BATTLE OF LAKE ERIE

Mr. WHITE of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 620, for the observance of the celebration of the one hundred and twenty-fifth anniversary of the Battle of Lake Erie, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas September 1938 is the one hundred and twenty-fifth anniversary of the Battle of Lake Erie; and

Whereas the Battle of Lake Erie, won by Oliver Hazard Perry, is one of America's most noted heroic examples of patriotism and the overcoming of almost overwhelming odds, known to every school child in the United States; and

Whereas this naval victory was more than a victory upon the Great Lakes, but decided the fate of the War of 1812, and by Perry's victory saved, won, and opened to the United States the great western territory, thus making us a nation; and

Whereas this famous battle was won near Put in Bay, in the waters of Lake Erie, just north of Sandusky, Ohio; and

Whereas Congress has already recognized this important chapter of American history by making Perry's Victory Memorial, located at Put in Bay, Ohio, a national shrine of patriotism; and

Whereas the shadow of war lurks over a great portion of the world and, in contrast thereto, this celebration would offer an opportunity to focus world-wide attention upon the desire of the people of the United States to promote peace and neighborliness with all nations, as symbolized by the boundary line near this scene where understanding and friendship are the only sentries needed to guard the relationships between the United States and Canada: Therefore be it

Resolved, etc., That there be appointed a commission to prepare and bring about a suitable celebration of the 125th anniversary of the Battle of Lake Erie, and that September 10, 1938, be established as the date of this celebration at Sandusky and Put in Bay, Ohio; said commission to be composed of five men selected by the Speaker of the House of Representatives.

Sec. 2. That there be authorized to be appropriated, out of available funds, the sum of \$25,000 for the purpose of carrying out the provisions of this joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There was no objection; and the joint resolution was ordered to be engrossed and read a third time, was read a third time and passed, and a motion to reconsider laid on the table.

DISPENSING WITH CONSIDERATION OF THE PRIVATE CALENDAR

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the business in order tomorrow, the consideration of the Private Calendar, be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CONTROL OF VENEREAL DISEASES

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the present consideration of S. 3290, to impose additional duties upon the United States Public Health Service in connection with the investigation and control of the venereal diseases.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent for the present consideration of the bill S. 3290. Is there objection?

Mr. HOLMES. Mr. Speaker, I reserve the right to object. I think this is too important a piece of legislation to take up on the floor of this House at this time with so little time to debate it, and especially when there are so few Members of the House present, who may enter into a discussion of the merits and demerits of the legislation. On that account I object to its consideration.

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, earlier today I asked unanimous consent to place in the RECORD a broken plank of the Democratic platform of 1932, and to extend my remarks other-

wise. At that time I did not ask that it be placed in the RECORD at that particular point. I make that request now, so that it may be placed in the RECORD at that particular point.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House the Chair recognizes the gentleman from Minnesota [Mr. ANDRESEN] for 20 minutes.

FARMERS FIGHT TO RETAIN CONSTITUTIONAL FREEDOM

Mr. ANDRESEN of Minnesota. Mr. Speaker, on Thursday last I sought recognition to address the Members of this House on a matter of great emergency to more than 1,000,000 farmers who live in the Corn Belt area of our great Middle West. The right to speak at that time was denied me by the distinguished Democratic leader, who objected to giving me only 10 minutes in which to discuss the grave matter that I will present to you today.

During the past few days you have all read the headlines carried in the newspapers of "Crop rebellion," "Farmers fight compulsory control," "Thousands of farmers join Corn Belt revolt against Government crop control," and the factual information showing spontaneous mass meetings, attended by thousands of farmers in many parts of the so-called commercial Corn Belt area in opposition to the crop-control program as administered by the Secretary of Agriculture.

This aroused sentiment on the part of hundreds of thousands of farmers is not a rebellion or revolt against the Government or any Federal law which will honestly meet the true tests of our Constitution. It is, rather, a spontaneous uprising on the part of thousands of honest and patriotic American farmers in the defense of constitutional freedom to live and operate as American citizens under guarantees set forth in the Bill of Rights.

I can best explain the attitude of the farmers by quoting to you from the statement made by Tilden Burg, an Illinois farmer living near Sciota, Ill. He made the following statement at a mass meeting of several thousand farmers at Macomb, Ill., on the evening of April 27. He said, in part:

Our purpose is to oppose in every honorable way the un-American program of compulsory crop control which is being forced upon us. The most of us have spent our entire lives upon the farm. We have an affection for our lands that probably cannot be understood by the politicians at Washington. Our farms will not be the same when, instead of planning their operation along sane lines, we have jobholders coming from Washington to tell us what we can plant and what we cannot plant, perhaps under threat of prosecution and penalty.

Above all else we are fighting for freedom. We positively refuse to accept the view that we must sacrifice all freedom to obtain prosperity. On the other hand we believe that loss of freedom means poverty and ruin. Turning our farms over to compulsory methods of farming cannot be the sound method of getting prosperity.

In recent weeks we have received corn allotments that for many of us are plainly ruinous. Everywhere we hear the charge, honestly made, that favoritism has influenced the fixing of allotments. We have seen compulsory control fastened upon farmers in other sections. We have the same sort of dictation awaiting us here unless we organize and fight against it.

Mr. Burg closed his remarks with the following significant statement:

We contend that we have not been truly represented at Washington. Farm organizations have spokesmen and lobbyists in the national capital, but do these express their views of yourselves and your neighbors? They do not. Perhaps they represent the views of the minority of farmers, but we are convinced beyond all doubt that the majority of farmers do not want this sort of thing. Friends, we must tell those in authority in no uncertain terms that we do not want it.

Here ends the quotation from Farmer Burg.

I do not claim to be a prophet or the son of a prophet, but the prediction which I made from the floor of this House last November to the effect that the farmers of America did not want to be controlled from Washington has been borne out by the Nation-wide revolt of millions of farmers during the past 60 days.

The uprising among farmers against compulsory control is not confined exclusively to the Middle West. It goes beyond the Corn Belt, which happens to be the home of Secretary Wallace, who originated the idea of compulsory control and forced it onto a misinformed but well-intentioned majority in Congress. No, the so-called rebellion of farmers is Nation-wide, and it takes in all areas in which cotton, corn, and wheat are produced.

THE REVOLT IN THE COTTON SOUTH

The first revolt came from hundreds of thousands of cotton farmers of the South. While these farmers voted to place themselves under compulsory control from Washington on March 12, they did so under coercion and lack of understanding as to the meaning of compulsory control. They were told by Government agents that if they did not vote for compulsory control, they would not receive their 1937 adjustment payment of 3 cents per pound on cotton, which amounted to \$130,000,000; and at the time of the referendum they had not been given their acreage allotments for the production of the 1938 cotton crop. They did not understand the law and voted blindly in order to be good Democrats and incidentally to secure all financial benefits to be distributed from the Federal Treasury.

But what happened in the South? When the Secretary of Agriculture and his agents began doling out cotton acreage, after the highly favored referendum, hundreds of thousands of small cotton farmers found that the acreage assigned to them was so small that the production from such cotton acres would not bring sufficient income to even provide a meager subsistence for their individual families, to say nothing of paying their debts, interest, and the ever-increasing and obligatory tax assessment.

This started the revolt in the cotton South. Complaints by the thousands poured into Washington. The distinguished and able representatives from the cotton South, who now control the Congress, were threatened with political extinction, and the future of the Democratic Party hung in the balance. Cotton-planting time was at hand, and the small cotton farmers demanded additional cotton acreage from Secretary Wallace. What did he do in answer to the plea for a livelihood from the tenant farmers and sharecroppers of the South? He turned them down. But when my Democratic colleagues from the South threatened to join with their farmer constituents in a just revolt, the Secretary capitulated, but only for the 1938 cotton-crop year.

In order to quell the southern revolt against compulsory control, the administration hurriedly passed 18 amendments to the control law, which gave the cotton farmers in 16 States an additional 2,000,000 acres for cotton production in 1938. This action did not satisfy the cotton farmers, but, for a few months at least, it temporarily stopped the uprising of cotton producers against compulsory control.

BASIS FOR COMPLAINT FROM COMMERCIAL CORN AREA

This so-called revolt against governmental control in the Corn Belt is not a political proposition. It extends over 566 agricultural counties in 12 States of the Middle West, and these scores of thousands of liberty-loving farmers, who are now fighting for freedom on their farms, are members of all political parties and creeds. They have no political axe to grind, but, now that their freedom of operating their individual farms has been threatened by compulsion and control from Washington, they arise en masse to preserve and defend their American independence.

Literally, thousands of letters, telegrams, and telephone calls have poured into Washington during the past 10 days from farmers in the commercial corn area, protesting the individual farm corn-acreage allotments made by the Secretary of Agriculture.

When Secretary Wallace and his associates in the Department of Agriculture presented their control scheme for the production of corn, Members of Congress and farmers in the controlled area were led to believe that the Secretary would not impose cuts in individual farm corn acreage

greater than 20 percent. This assurance from Secretary Wallace and his associates led many Members, through loyalty to the Democratic Party, to support the compulsory program, although they did not favor it in spirit or principle.

The Agricultural Adjustment Act of 1933, commonly known as the "control law," was approved by the President of the United States on February 16, 1933, at 3 p. m. This law was passed by a majority in Congress after 3 months of bitter debate in the committees and on the floor of both House and Senate. The President delivered two messages to Congress demanding its passage, and in the main, the Secretary of Agriculture, Mr. Wallace, dictated the provisions requiring compulsory marketing control and the formula for individual acreage allotments on farms used for the production of cotton, wheat, corn, tobacco, and rice.

Time will not permit a discussion of the cotton, wheat, rice, and tobacco situation today. I hope, however, that in the near future, I may have the privilege of giving you a detailed picture of the condition prevailing in the production of them under the provisions of the new control act. I will, therefore, proceed with the matter at hand.

On or about April 15, of this year, the Secretary of Agriculture, through the agents of the Department of Agriculture, began the distribution of individual farm corn-acreage allotments to farmers in the commercial corn area. On April 16, a stream of complaints began to arrive, as the corn farmers in the area found that instead of being cut from 15 to 20 percent in corn acreage, the Secretary had assigned acreage to the individual farms wherein the reductions amounted to between 25 and 70 percent under normal production.

To let you have an idea as to the general dissatisfaction among farmers in the corn area over the reductions in corn acreage, I give you the facts as announced by Mr. Claude R. Wickard, north central division A. A. A. director and right-hand bower of Secretary Wallace. He said:

Complaints against reductions in corn-acreage allotments have been as high as 1,100 per county.

There are 566 counties in the area, and the general flood of protests is not surprising, when we consider that all of the county and township committees are operating strictly under the formula and instruction of the Secretary of Agriculture.

FARMERS USE CORN FOR FEED

A large percentage of the farmers within the area use all of the corn they produce in the form of feed, as silage and field corn, for hogs and their herds of dairy and beef cattle. They sell very little, if any, of their corn in direct commercial channels. They use it for feed, and they market their hogs, dairy products, and livestock. If the farmers go along with the program, and many of them would like to do so because of the benefit payments, and produce corn only on the acreage assigned to them by the Secretary, many of them would be forced to reduce their hog production and to materially cut their dairy and beef herds. Such a drastic requirement would destroy their well-balanced economic units and greatly lower the individual farm income and purchasing power. In other words, the well-established principles for efficient diversified farming would be thrown out of gear and general dislocation would take place.

GLARING INEQUITIES

At this point I desire to cite some of the complaints against the corn acreage assignments made by the Secretary of Agriculture. On a 77-acre farm where the farmer had 35 acres that he intended planting in corn, his allotment was 7½ acres; on another farm of 160 acres where the farmer has 15 brood sows from which he hoped to raise over 100 pigs this summer, and also over 40 head of cattle, he was given an allotment of 8.8 acres, whereas he intended to plant 40 acres; another farmer who has 80 acres of medium-grade land, which is heavily mortgaged, and who also has a chattel mortgage on his personal property, and has 12 brood sows from which he hoped to raise from 75 to 100 pigs and also hoped to raise enough corn to feed them out and try

and pay off his chattel mortgage, when he received his allotment, it was between 7 and 8 acres for corn. This would not raise enough to feed his brood sows through the next winter, let alone to feed off the pigs which he hopes to raise and market.

One farmer from southern Minnesota writes:

Most of the farmers around here are opposed to cutting down their corn acreage. We ourselves are cut from 65 to 26 acres and others accordingly. The reduced acreage will not supply sufficient feed to take care of my hogs and dairy herd, and I will be forced to sell a part of my livestock this fall for lack of feed.

Another farmer writes that he had planned to plant 65 acres of corn, but was only given a quota of 16 acres. Another farmer who has 40 head of cattle and 240 acres of land was given a quota of 26 acres. Another from my home community writes me that he produced over a hundred acres of field corn last year and was given a quota of 55 acres. He asks the question, "Where do we go from here, boys?"

I have cited just a few of the complaints which have reached my office, and if we can rely upon the statement made by Mr. Wickard, we will find that more than 500,000 farmers in the corn area are registering strenuous objections over the unjust corn-acreage allotments made by the Secretary of Agriculture for their individual farms.

GOVERNMENT OFFICIAL CRACKS DOWN ON FARMERS

When the aggrieved farmers presented their petitions to the Secretary of Agriculture asking for adjustments in the unfair distribution of individual acreage allotments, the only response that they received were the harsh and dictatorial words of Claude R. Wickard, a division director, and spokesman for the Secretary of Agriculture. He responded and used the following language to the Corn Belt farmers:

The administration would not give an inch. The allotments have been made according to law; the farmers can take them or leave them.

Mr. Wickard also accused the Corn Belt organization of farmers of inspiring dissatisfaction and misrepresenting the facts. He indicated that the Department would begin an immediate drive to quash the so-called revolt of midwest farmers. It is also understood from good authority, that the Department dispatched several Secret Service operatives to attend the Macomb, Ill., meeting, which was held by farmers from six States in the area.

Even Gov. Nelson G. Kraschel, of Iowa, one of the supporters of the compulsory control law, recognized the unfair treatment given to farmers when he telegraphed Secretary Wallace and urged the elimination of "glaring inequities." No doubt, he received the same answer as Mr. Wickard gave to the farmers.

Apparently, Secretary Wallace does not like these obstacles coming from the farmers in his home territory to obstruct his long-cherished dream of control over American farmers, and therefore he has ordered his assistants to crack down by saying, "We will not give an inch, and you can take it or leave it." The Secretary will find that he is not dealing with puppets or pawns, when he orders the Corn Belt farmers "to take it or leave it." They know what they want when they want it, and I am willing to trust the final answer to their judgment as honest and hard working, liberty-loving American citizens.

FALLACIES OF CORN PROGRAM

In addition to the glaring inequities in the distribution of individual corn acreage in the so-called commercial corn area, I want to call your attention to some other important facts which disclose the fallacy of the entire program. While I am opposed to compulsion in any form over agriculture in this country, the scheme has been enacted into law and we must face the facts as they exist.

Tabulated figures furnished me by the Department of Agriculture disclose that there are 4,723,836 farmers producing corn in the United States. In 1937 these corn farmers planted 96,483,000 acres of corn, which yielded a production of 2,644,995,000 bushels.

The Secretary of Agriculture has designated 566 counties in 12 States of the Corn Belt as the commercial corn area. There are 1,058,259 corn farmers living in this area. They have been designated for control. Three million six hundred and sixty-five thousand five hundred and seventy-seven corn farmers living outside of the area are not subject to control in any manner, and they can raise as much corn as they desire. To illustrate what is actually being done at this very moment, hundreds of thousands of farmers in the South are planting millions of additional acres of corn on the 17,000,000 acres of cotton land which they were forced to take out of cotton production for this year. It is estimated that the cotton South will increase its corn acreage over 1937, from 5,000,000 to 10,000,000 acres. The balance of their usable land will be planted to peanuts and other competitive crops, and millions of acres will be put into legumes and grasses for feed to livestock and dairy herds. We will also find by harvest time that in all other parts of the country where corn is produced, outside of the corn area, there will be a tremendous increase in corn acreage.

Of the total 1937 crop of corn of 2,644,995,000 bushels, the million farmers in the commercial corn area produced 1,617,142,560 bushels of corn, on approximately 48,000,000 acres of land. The yield was high last year, and a good crop resulted. The 3,700,000 corn farmers living outside of the commercial corn area produced 1,027,852,440 bushels of corn on approximately 58,500,000 acres. If these farmers, who are not controlled, only plant the same acreage as they had in 1937, and secure a normal yield of 25 bushels to the acre, they will produce nearly 1,500,000,000 bushels of corn. Further, should 10,000,000 acres of additional land be planted to corn outside of the area, it would be necessary to add another 250,000,000 bushels to the Nation's corn supply.

Now let us see what effect this will have upon the corn farmers in the commercial corn area. The Secretary of Agriculture has taken the 10-year average 1928-37 of approximately 49,000,000 acres of planted corn from which the cut is to be made for the farmers in the controlled area. He has definitely fixed the corn acreage allotment for the commercial area at 40,491,279 acres. This acreage is broken down into State, county, and individual farm allotments. If the farmers within the area desire to secure from the Federal Government the benefit payments of 10 cents a bushel on normal production, which amounts to around \$3.50 an acre, they must confine their corn plantings to the acreage allotted to them by the Secretary of Agriculture. There is also some question as to whether or not the farmers within the area will be able to secure any Federal loan on their corn whatsoever, irrespective of the national supply on hand at harvesttime. The matter of making loans upon any farm commodity, at any time, rests wholly upon the Secretary of Agriculture and the President. However, both the law and regulations are very clear in the matter of loans on corn when the supply exceeds the level fixed by the Secretary of Agriculture. No loans will be made if more than one-third of the farmers raising corn and living in the commercial area vote against compulsory marketing quotas.

To return to the original proposition of detriment to the corn farmers living within the area, it is my contention that the farmers outside of the area will raise such a large amount of corn that their production will offset the decrease of corn production in the commercial area. The Secretary of Agriculture uses national production figures in determining his orders, and since his edicts only affect the farmers in the controlled area, they are bound to suffer the consequences of whatever production may occur outside of the area. The result will be lower prices for corn throughout the country, and the controlled farmer will have less corn and other products produced from corn to sell, and consequently will suffer serious financial damage as a result of the control program.

REFERENDUM AND COMPULSORY MARKETING QUOTAS

If the production of corn for 1938 plus the carry-over from 1937 exceeds the national supply level as fixed by the Secre-

tary of Agriculture—estimated to be slightly in excess of 2,700,000,000 bushels—he will establish compulsory marketing quotas only for corn farmers living within the commercial corn area. By compulsory marketing quotas is meant the amount of corn that a farmer may sell, feed, or give away. The excess corn that any farmer may have or produce above his marketing quota must be placed in storage and under seal. If any controlled farmer disposes of any of the sealed corn, he immediately becomes subject to a penalty of 15 cents a bushel for every bushel which has disappeared from the corncrib. This penalty is collectible in the Federal courts.

Before the marketing quotas become effective the Secretary is required to conduct a referendum in the commercial corn area. All farmers raising corn within the area are entitled to vote, irrespective of participation in the soil-conservation program. If two-thirds of the farmers within the area vote for marketing quotas, compulsory marketing becomes operative and the penalties attach automatically to all farmers within the area.

COMMERCIAL CORN-PRODUCING AREA

The following States and counties have been designated by the Secretary of Agriculture as the commercial corn area for the crop year of 1938:

Illinois: All counties.

Indiana: All counties except Brown, Clarke, Crawford, Floyd, Harrison, Jefferson, Lawrence, Martin, Monroe, Ohio, Orange, Perry, Scott, Spencer, and Switzerland.

Iowa: All counties.

Michigan: Branch, Hillsdale, Lenawee, Monroe, and St. Joseph.

Minnesota: Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

Missouri: Adair, Andrew, Atchison, Audrain, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscott, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

Nebraska: All counties except Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

Ohio: All counties except Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Lorain, Mahoning, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, and Wayne.

South Dakota: Bon Homme, Brookings, Charles, Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Turner, Union, and Yankton.

Wisconsin: Dane, Grant, Green, Iowa, Lafayette, and Rock.

Kansas: Anderson, Atchison, Brown, Coffey, Crawford, Doniphan, Douglas, Franklin, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Linn, Lyon, Marshall, Miami, Nemaha, Norton, Osage, Phillips, Pottawatomie, Republic, Riley, Shawnee, Smith, and Washington.

Kentucky: Fulton, Henderson, Hickman, and Union.

Corn-acreage reductions in commercial area

State	Planted acreage, 1937	Acreage allotment, 1938
Illinois	9,451,000	7,348,375
Indiana	4,181,210	3,456,203
Iowa	11,189,000	9,249,232
Michigan	284,600	223,790
Minnesota	3,877,400	3,319,794
Missouri	3,254,720	3,267,079
Nebraska	7,313,920	6,757,334
Ohio	3,183,500	2,521,771
South Dakota	1,816,500	1,635,790
Wisconsin	568,710	452,809
Kansas	1,624,500	2,108,595
Kentucky	168,200	150,507
Average corn acreage, 1928-37:		
Missouri		4,190,389
Nebraska		8,028,034
South Dakota		2,004,720
Kansas		2,710,200

INCONSISTENT POLICIES

After studying 52 pages of the compulsory-control law and hundreds of pages of rules, regulations, and instructions issued by the Secretary and his staff, it looks to me as though, through compulsory control over our basic agricultural commodities, the administration might be getting ready to do some more trading with foreigners under new trade agreements. While it is not consistent, it appears that the administration is trying to compel our farmers to produce less so that foreign farmers may ship more into this country of the same products which are now being curtailed in production in the United States.

A study of the competitive imports for the past 5 years tells its own story, and is one of the responsible factors for falling farm prices in the United States. These import figures were supplied from records of the Department of Commerce.

A few competitive farm imports sold in United States

Products	1933	1937
Cattle.....head	74,658	494,945
Hogs.....pounds	6,470	16,555,218
Pork, hams, and bacon.....do	2,925,517	74,830,480
Total meat products.....do	62,474,911	191,906,012
Butter.....do	1,021,806	11,110,762
Cheese.....do	48,396,740	60,650,000
Corn.....bushels	160,288	86,337,248
Wheat.....do	10,286,236	17,423,837
Barley.....do	None	10,384,108
Barley malt.....pounds	109,485,885	371,243,456

It took from fifteen to twenty million acres of foreign farm land to produce the above imports which were sold in the United States in competition with the production from American farms. Since this is mainly a discussion on corn, I want to particularly call your attention to the 1937 imports of 86,337,348 bushels of corn. At the rate of 25 bushels to the acre, which is the normal production for the United States, our farmers were deprived of the use of 3,453,490 acres of corn land on their farms. Our farmers were also deprived of the home market, and this country paid foreign corn farmers the enormous sum of \$56,184,246 for their corn.

THE RIGHT OF PETITION

Every American citizen is guaranteed the right of petition. The farmers of the Corn Belt area have the right to come to Washington with their complaints, and the Secretary of Agriculture, who demanded the passage of the law, should now satisfactorily adjust the glaring inequities perpetrated in the name of the law upon these farmers. This should be done at once; and if the Secretary does not do so, Congress should repeal the compulsory features of the Agricultural Adjustment Act of 1938. I feel certain that the farmers will never be satisfied until compulsion is stricken from the statute books.

When Secretary Wallace insisted on the passage of the compulsory-control features of the 1938 law, it is quite apparent now that he did not understand the resultant inequities, or he deliberately misled the majority in Congress and hood-

winked them into passing a law that would work a hardship upon the majority of the farmers of this Nation.

If Congress repeals the compulsory-control features of existing law, what beneficial legislation will we find upon our statute books for agriculture? We would have practically everything for the benefit of farmers as we now have with the exception of regimentation and compulsory control. The Soil Conservation Act of 1936 would remain. It is a voluntary plan, with no compulsion for any farmer. It authorized \$500,000,000 in benefit payments to farmers who voluntarily joined in the soil-conservation program. The control law contains no additional appropriations or benefits. The voluntary law was favored by a large majority of the Members and well received by the farmers of the Nation. We would also have the law which provided for reasonable loans on farm products. Also, the law which provided for the use of 30 percent of the customs receipts, amounting to around \$130,000,000 annually, to be used in aiding farmers in disposing of seasonal and national surpluses, as well as many other laws of past and recent action to aid agriculture in solving its difficult problems.

Thus the argument that there would be no law for the benefit of agriculture if we repealed compulsory control falls of its own weight. The farmers of the country would continue this year to operate their farms under all beneficial laws as they existed in 1937. These laws were voluntary and the farmers generally were satisfied with the prices they received for their farm products until the fall of 1937, when the President called a special session of Congress to enact control legislation, and the administration began its deflationary program, which caused falling prices for all agricultural products, reduction of purchasing power, the closing of factories, and unemployment and relief rolls equaling the low point of 1932.

It seems to me—and I am sure that the majority of farmers will agree—that the time has come when we should apply some real, common horse sense to the solution of the difficult farm problem. Many of the laws passed by Congress have been beneficial to agriculture. However, when we look at the crazy quilt of inconsistent schemes developed in Washington during the past 5 years in the name of agricultural relief, many of us feel that if the present policy and compulsion continues, our agriculture will become completely dislocated and most of our farmers ruined.

The New Deal program for agriculture has left everyone bewildered. They have our farmers produce less and then invite foreign farmers to produce more competitive products for shipment into this country; they spend hundreds of millions of dollars to make millions of acres of new irrigated land out of the deserts of the West so that we can produce more; they have the cotton and tobacco farmers go out of historic production and pay them a subsidy, out of the Treasury, to raise large quantities of corn, hogs, beef, and dairy products; and last, but not least, they now insist on taking over the management of every man's farm to be controlled by bureaucrats from Washington. Can you blame us for being bewildered? As my friend from home said, "Where do we go from here?"

If the Secretary of Agriculture and the Congress did not understand the new farm law when it passed, we may be sure that the farmers of the cotton South and the Corn Belt now understand it. A majority of them did not want such a law 6 months ago and they do not want it today.

The farmers of the Corn Belt who are now organizing against compulsory control from Washington are in the right. The colleagues in Congress who joined with me in our attempt to eliminate compulsory control from the administration's farm bill in December believed then that we were speaking for the majority of farmers. We now know that we were in the right, and I thank God and the founders of this Republic that the rights and liberties of these American farmers and all of our citizens are securely protected within the cloak of the Constitution of the United States with its Bill of Rights, the right of franchise, the love for

our American democracy and its representative form of government and an independent judiciary, and that the un-American laws and unjust acts now being forced upon them may be corrected under our American system of government. [Applause.]

[Description of Macomb (Ill.) farm meeting, April 27, 1938]

THOUSANDS JOIN CORN BELT REVOLT ON CROP CONTROL—MOVEMENT SPREADS OVER WEST; ILLINOIS RALLY HEARS CHARGE ALLOTMENTS WILL RUIN MANY OF FARMERS

(By Geoffrey Parsons, Jr., a staff correspondent)

MACOMB, ILL., April 27.—Thousands of Corn Belt farmers tonight jammed the Macomb Armory and massed in the cobblestoned street outside to protest against the Roosevelt administration's crop-control program.

From a score of Illinois corn-growing counties, with one group from Indiana, 300 miles away, the farmers gathered at the meeting called by the Corn Belt Liberty League, organized 2 weeks ago by McDonough County farmers to express their dissatisfaction with the corn acreage allotment recently prescribed under the Agricultural Adjustment Act of 1938.

Tilden Burg, of Sciota, Ill., president of the league, warned his fellow farmers that "the corn allotments for many of us are plainly ruinous," and pointed out that the charge that "favoritism" had influenced the fixing of acreage allotments was heard everywhere.

"Above all else," Mr. Burg said, "we are fighting for freedom. We positively refuse to accept the view that we must sacrifice all freedom to obtain prosperity. On the other hand, we believe that loss of freedom means poverty and ruin. Turning our farms over to compulsory methods of farming cannot be the sound method of getting prosperity."

Thus he sounded the keynote in the growing Middle West revolt against the Roosevelt administration's crop-control program. The movement launched here in the heart of the Corn Belt is the most extensive uprising of farmers since the late Milo Reno led the "farm holiday" in Iowa 5 years ago.

A bushel basketful of telegrams and letters from all corn-producing States gave striking proof of the interest which the rebellion has aroused among farmers far beyond the limits of the county where it began. One telegram, from Norman J. Taber, master of the National Grange, Washington, expressed encouragement for the movement.

A Grange officer from St. Louis was in Macomb today to confer with leaders of the league on extending the rebellion to eastern Missouri.

At tonight's meeting plans were made for organization of county units, first memberships were accepted, and six vice presidents—three Republicans and three Democrats—were elected.

"The purpose of our organization," Mr. Burg said, "is to oppose in every honorable way the un-American program of crop control which is being forced upon us. The most of us have spent our entire lives on the farm. We have an affection for our lands and an interest in the operation of our lands that probably cannot be understood by politicians in Washington. Our farms will not be the same when, instead of planning their operation along sane lines, we have job holders coming from Washington to tell us what we can plant and what we cannot plant, perhaps under threat of prosecution and penalty."

"In recent weeks we have received corn allotments that for many of us are plainly ruinous. Everywhere we hear the charge, honestly made, that favoritism has influenced the fixing of allotments. We have compulsory control fastened upon farmers in other sections. We have the same sort of dictation awaiting us unless we organize and fight."

"We have been surprised at the support given this movement. A handful of us talked about this problem and the threat facing us. We decided to have a meeting to talk it over; that was a week ago last Monday. We expected not more than 100 or 200 farmers. Instead, we had a crowd of at least 1,500. Those present demanded that the movement continue and be expanded. We are doing that now."

"If you believe in freedom on the farm and if you believe in the theory of plenty instead of the theory of scarcity, we invite you to join with us. We need the strength of numbers if we are to be heard in Washington. It is the solemn pledge of the officers and the members of this organization that we will remain nonpolitical, as we have been and as we now are. Our only interest and our only purpose is the preservation of our rights to operate our farms as we see fit."

A second speaker was John E. Waters, of Madison, Wis., who from 1929 to 1933 taught power farming to the Soviets. Tonight he told the farmers here that if they submitted to the present trend of A. A. A. "dictatorship" they would end up eventually with a dictatorship possessing all the Soviet refinements of blood purges, exile, break-down of the home and family, class hatred, starvation, regimentation, spies, and bureaucratic graft.

The Rev. Henry Bloomer, whose Methodist Church has the largest congregation in Macomb, speaking as owner and operator of two farms, strongly condemned the New Deal agricultural policies, and so did Lowell McDaniel, who drove 300 miles from Indianapolis to be present tonight.

The reduction in corn acreage ordered by the A. A. A. is so severe that the farmers assert they will make more money by ignoring the acreage allotments than they would receive in Government benefits for compliance.

JUVENILE COURT FOR THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. PALMISANO submitted a conference report and statement on the bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia," and for other purposes.

THE PRESIDENTIAL MESSAGE ON MONOPOLY

The SPEAKER pro tempore (Mr. RAYBURN). Under a previous order of the House, the gentleman from Illinois [Mr. ALLEN] is recognized for 20 minutes.

Mr. ALLEN of Illinois. Mr. Speaker, many of us were startled when we read the Presidential message on monopoly communicated to the Senate last Friday. We had hoped that Mr. Roosevelt was sincere when he recently informed the press of his desire to cooperate with business. We believed attacks on business were at last to be discontinued. Particularly amazing to many of us were his words, "Among us today a concentration of private power without equal in history is growing." The word "private" stands out because while the Chief Executive now asks legislation to resist private power he just as surely likes public power for himself as evidenced by his never unhesitating demand on Congress to delegate their constitutional powers to him. As far as I am individually concerned I am personally much more worried about continued delegation of extreme power to the Chief Executive than I am about the concentration of private power to unnamed and mythical individuals, whom he characterizes "economic royalists," "barons," and "feudal lords."

There is no subject before the American people today that is of greater importance to them than is the subject of monopoly, whether it be monopoly of power by a Chief Executive or industrial monopoly. The question of industrial monopoly, however, pales into insignificance when weighed against the increasing monopoly of legal power now vested in the executive department of our Government and especially in the President of this democratic Federal Union of States. This concentration in Mr. Roosevelt is seriously impairing the effectiveness of private enterprise as a way of providing employment for labor and capital. Coupled with these excessive powers is the knowledge that we are now to embark on a spending campaign that contemplates the wanton expenditure of approximately \$10,000,000,000 to satisfy the recommendations and demands made to Congress by Mr. Roosevelt. He demands that when, where, and how this money is to be spent will be according to the whims of the President himself or that of his appointed officers. Mr. Speaker, the records show that in his messages to Congress the past 2 months alone, the President has recommended the appropriation of more money to be spent the current year than the total combined incomes of 32,000,000 men, women, and children who in their sweat and their toil produced on American farms all the fat, food, and fiber, not alone to feed all the people of this country but the export market, which the Secretary of State is so proud to boast.

This Presidential message to Congress on monopoly makes many of us believe that instead of having a constitutional government of representative democracy based on certain fundamental and sound principles we have a government of demagoguery based on prejudice, class hatred, and sensationalism; the sensationalism constituting appeals to the misguided, that some mythical and hidden foe or corporation is the only thing standing between them and their achievement of the much hoped for Utopia. Assurances still emanate from the White House promising everything, but delivering nothing, calculated to instill into the minds of a forgotten people that it will not be long now until they will come to the pot of gold, providing we deliver these so-called blackguards of industry into the hands of the Philistines.

Mr. Speaker, hear me now on this: That if the President will cease his attacks on private enterprise, abate the fears caused by his ceaseless mouthings, I am certain that frozen bank deposits will become liquid, private investments will

then come out of hiding, and the American farmers and industrial workers will march down a highway to a normal American prosperity. His preachment of class distinction, class hatred, and class bitterness is the very height of demagoguery and smirks of the cheap political practice of the rattle rousing politician. Quoting again the words of the President, I continue to read from his message:

The individual must be encouraged to exercise his own judgment and venture his own savings, not in stock gamblings but in new enterprise, investment.

Mr. Speaker, I now ask what single enterprise, what new development, what new industry was built in the United States under the guidance of Franklin Delano Roosevelt, except the vast enterprise of public relief? It does not seem so long ago that the present President of the United States, before he assumed his high office, was president of a "get-rich-by-night scheme," what might be properly called stock gambling.

Mr. Speaker, we in America no longer enjoy political administration of progress and of law. Constitutional and representative government has now gone and we are governed by strict partisanship, personality, and demagoguery.

A government dedicated to demagoguery now being preserved and perpetuated by auction-block elections, bought with the taxpayers' money cannot long endure. Now is the time that we elected Members of Congress assure Henry Ford, who employs hundreds of thousand of men and women, the railroads with a pay roll of nearly a million and who are under a gigantic financial strain, the insurance companies with the life savings of millions, the banks with billions of dollars to invest but afraid, and many other leaders of American industry and business, who give gainful employment, we do not intend to let the President persecute them but desire to help them.

As a member of the legal profession, as a Member of Congress, I have studied for many years the antitrust laws. I do not accept the contention of the President that there is any inadequacies of existing laws pertaining to monopolies. Even if I did agree I would still believe it unwise to remedy the defects at this time. With more unemployment than we had when Mr. Roosevelt assumed office, caused by reform legislation against business, it seems to me that we should forget reform legislation for the present at least and give our undivided attention to recovery legislation. In the meantime regulation of monopolies through the enforcement of the Clayton Act and the Sherman Act should and would prove sufficient.

In support of the contentions Mr. Roosevelt cites certain figures of the Bureau of Internal Revenue, revealing what he claims to be amazing facts. To me after careful scrutiny they are not as astonishing as he would like to have us believe. It is true that a small percentage of corporations do hold a majority of corporate assets, but that of itself is not surprising. For instance, there are thousands of small corporations in each of our districts whose total corporate assets do not reach the sum of the railroad assets in our respective districts. Four or five of the large insurance companies in America unquestionably have larger assets than the total corporation assets of the agricultural States. The corporate assets of nonprofit corporations such as churches and hospitals alone might total more than the combined assets of several of the rural States. The corporate assets of one large bank is greater than the combined assets of thousands of small corporations whose individual assets might be well under a thousand dollars. Would Mr. Roosevelt contend that we should break up the railroads, the insurance companies, the larger banks in smaller units?

Prior to 1933 my home city of Galena, Ill., with a population of less than 4,000, had three banks. Each one of the banks had a president, a vice president, a cashier, and an assistant bookkeeper. They had three rents to pay, three heating plants, three light bills. After the moratorium the directors of the banks in conference, agreed on Galena having one bank, which means one president, one vice president,

one cashier, one rent bill, and so forth. The bank is getting along much better than if there were three banks in this small city. The people are served well. It is true the one bank has monopolistic features but Mr. Roosevelt himself would have to admit that it is better.

Several years ago the same little city had two picture houses. The pictures were of cheaper variety, the equipment and the buildings were very poor. Recently one proprietor purchased the other picture house. The owner built a fine large edifice for picture goers. He purchased the best equipment. He shows nothing but the better pictures. His prices have remained the same yet the people are getting better service. True he has a monopoly, so-called, but who would dispute that it is not for the best. In the event that he raises prices beyond the means of the people someone else will through free competition start another picture house.

It is true these citations deal with monopolies in their smaller terms. My purpose in citing these cases is to allay the belief that all forms of monopoly either public or private are economically unsound.

Taken as a whole natural monopolies are efficient, they are indispensable. While on the other hand wasteful competition has brought about some of our most grave economic problems. I speak of the railroads in particular. The competition of our railroads today is the chief cause of their present plight. For example, anyone desiring to travel from the Nation's Capital to Chicago has to make a choice between two or more trains, each leaving at the same time, the same service, the same travel hours, the same fare. Each of these trains in making their daily trip from Washington to Chicago are carrying most of the time a one-fourth capacity, each is losing money on every run. Would Mr. Roosevelt insist that this competition is not wasteful. Rates positively could be reduced to the public benefit if either of these trains had the combined income of the several trains.

People as a whole desire the regulation of large corporations but they do not want them destroyed or even persecuted. They have, for instance, no desire to see the automobile industry cut up in smaller units. They were in hearty accord with the reorganization of the automobile industry of a few years ago when there was a consolidation of the high-cost producing ones with the more efficient. Little do I care whether the title to a plant is vested in a few or a million stockholders. What I desire is a cheaper and better car, and if it were not for the greatly increased taxes levied by this administration against the automobile corporations, these same corporations would have startled the world by their decrease in prices along with a better car.

No other thing in America has done so much for our advancement, for our high standard of living which has been the envy of the rest of the world, as has the pooling of the resources by our individuals. We all admire rugged individualism but we realize the many splendid things that could not have been possible except by the cooperation of the many. We know rugged individualism is private enterprise. We know rugged individualism in business means a one-man business. We know it is opposite to monopoly.

What brings about monopoly? Perhaps some rugged individualist in the home city of our Speaker, Jasper, Ala., rightfully believed his city should have a streetcar line. Individually, he did not have the finances to build it alone, but by reason that other rugged individualists were in accord with his views, they pooled their resources and gave the public a much needed service. Twenty miles from Jasper, in another city, other rugged individualists might have done the same thing, each corporation having its own officers, with a multiplicity of expenses. Perhaps the stockholders agreed for the best interest of everyone concerned there should be a merger. They do merge their interests and this same procedure follows in many other cities. Various streetcar lines are thus placed under one head, expenses are reduced. It is true on the records cited by Mr. Roosevelt that the total assets of the new corporation would show monopolistic enlargement of corporate assets, but do you

think they should be persecuted? Is not regulation sufficient? Should not we as a Government give them every help instead of extending more difficulties upon them? Is it not true that a corporation is made up of many rugged individualists who working alone could do very little? Is it not true, Mr. Speaker, that the people of the respective States determine the question instead of bureaucrats in Washington, in rare cases where there is sole Federal jurisdiction?

Without question, Mr. Speaker, the greatest monopoly in the United States is the Bituminous Coal Commission with its price-fixing codes and mandates. By reason of Federal laws these coal companies have been licensed to band together fixing the prices of coal. Under the supervision of Federal bureaucrats these coal companies are compelled to do those monopolistic things which the President now condemns and which they could not have done without Federal sanction. What a cry would come from the White House if automobile manufacturers, the cement, the steel, the lumber industries would have similarly banded together and fixed the price of their products. The appalling thing about the Coal Act to me is that the price of coal was monopolistically price-fixed without contemplating a single penny of increase in the wage rate of the miners who mine the coal from out of the bowels of the earth.

It appears to me, Mr. Speaker, that the easiest way to destroy rugged individualism is to destroy the American corporation structure. When the Federal Government takes it upon itself to destroy or persecute, whether it be rugged individualism or a corporation, then indeed are we headed for a Fascist state.

Many believe that this message of Mr. Roosevelt's is more personal than it is to help business or the consuming public. Many sincere people believe Mr. Roosevelt desires to "get even" with the Supreme Court, with Mr. Ford, and others because they differed with him on the N. R. A. Many believe this is the beginning of planned restrictions for all business, both large and small, like under the N. R. A.

Has Mr. Roosevelt told Members of Congress of his plans? He has not convinced this body that if his recommendations are approved it will help business and put the millions of unemployed back to work. Is there any economy in his proposal?

The Chief Executive has asked for an appropriation of \$700,000 to investigate and prosecute monopolies. This additional money to what the N. R. A. spent in its inquisition against business. In the Department of Commerce, division in charge of N. R. A. records, one can find all the information desired about monopoly in industry. In that office Mr. Roosevelt can find voluminous codes for industry, the public hearings, the report of the Consumers Council, the reports and recommendations of the Labor Advisory Board, as well as the Industrial Advisory Board. There also can be found the complete history of American industry. It has already cost the taxpayers of this country millions of dollars to obtain this information. Businessmen from all walks of life were forced to come here and "tell their all." If there were anything wrong after these extensive hearings and investigations of corporations, why did not the Department of Justice and Mr. Roosevelt prosecute the same?

The Federal Trade Commission has intensively studied and investigated the monopolistic aspects of the Sugar Institute, the Cement and Lumber Institute. If there were anything wrong with them, why did not the Department of Justice prosecute the guilty parties?

Let us be honest with ourselves. There is no apparent need of persecution. We have not been given a single good reason for any immediate action. Would it not be for the best interests of the country in its entirety, if the conservative Democrats and Republicans would unite once again as they did on the Supreme Court packing and reorganization bills, and see to it that the message of the President remains dormant in committee. I know that every thoughtful citizen who desires that this country return to a normal condition wants just that thing done. Let us not fail now. [Applause.]

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Missouri.

Mr. SHORT. I believe the gentleman from Illinois, who is a good lawyer and a sound economist, does well to call the attention of the House to the fact that the Congress at this time call a halt on this concentration of power in the hands of an individual and take back unto itself the constitutional prerogatives we have already granted under the cry of "emergency." I wanted to say to the gentleman that one of the amazing things about the President's message on monopoly is the fact he asked us to give him \$500,000 to investigate monopolistic practices, whereas the committee that is to investigate the T. V. A. has been granted only \$50,000. Does not the gentleman think there is a rather wide margin between the two sums of money?

Mr. ALLEN of Illinois. A very wide margin.

PERMISSION TO ADDRESS THE HOUSE

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

P. W. A. ALLOTMENTS

Mr. DEROUEN. Mr. Speaker, I wish to address myself to a statement inserted in the RECORD by my distinguished colleague the gentleman from New York [Mr. TABER] on the question of P. W. A. On Thursday, April 28, the gentleman inserted in the RECORD a table prepared by himself indicating that the philosophy of per capita expenditures by States should be considered. I fear that his statement may create confusion in the minds of those who read the CONGRESSIONAL RECORD.

The question of the per capita expenditures by States was never an element considered when the P. W. A. agency was instituted. I make that statement because I am afraid that the country might be misled. As I have just stated, the question of expenditure by States never did enter and should not enter. It was created for the specific purpose of relief and employment. Projects were to be approved all over the Union so long as they were meritorious and could qualify under the rules and regulations and policies of the P. W. A. I would not have mentioned it except the fact that he mentions the State of Louisiana, and as dean of that delegation I feel it incumbent upon me to make some explanation with regard to the statements put into the RECORD.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. MICHENER. As dean of the delegation, will the gentleman advise the House just what process he used in order to get so large a proportion of the money assigned to his State?

Mr. DEROUEN. That is the purpose of my remarks and I shall be very glad to do that. In 1937 we had a long list of pending projects in the files of P. W. A. that were approved, but none of them had been allocated to the State. In the Fourth Congressional District, along the State line of Arkansas, in Caddo Parish, not one dollar for P. W. A. projects was approved, and in the lower section a very small number. For instance, in 1937 suppose a State had 60 percent of its projects approved and adopted and another had only 4 percent, the pending list in 1938 shows a very large volume. Getting back to the question of the gentleman from Michigan, the improvements sought under the P. W. A. were to give employment, to keep the mills and factories open, to create a large volume of commerce which the railroads would transport. We have one project in the State pending right now which will cost several million dollars, and what is it? It is a project that will concentrate all of the railroads from California and all sections west of the Mississippi River to cross the river at Baton Rouge. In that project the grant is several million dollars, it is true, but do not forget the State of Louisiana contributed to the Treasury of the United States last year \$34,000,000. What I have in mind, first and foremost, is the fact that we should deal with this agency—

P. W. A.—not as a question of per capita expenditure, but as a relief measure for the unemployed. I do not care whether it is in the East, the North, the South, or the West. I am for these projects so long as they will contribute to the relief of unemployment.

Based on a study made by the Bureau of Labor Statistics of the non-Federal Public Works Administration program for 1937, a Federal grant of 45 percent would require an expenditure of Federal Government funds of \$61.24 per man-month of employment, either at the site of construction or in the production and transportation of construction materials and equipment.

All of the employment provided by such a program would be in private industry at prevailing rates of wages.

At this point, I wish to list the steel material which will be required to construct the one bridge across the Mississippi River at Baton Rouge, La., as follows, to wit:

Reinforced steel to be used on approaches to the bridge, 243,000 pounds; structural steel, 15,813,000 pounds; reinforced steel on bridge, 350,000 pounds; steel rails on bridge, 940,000 pounds.

On the main river-crossing structure it is estimated there will be used 5,320,000 pounds of carbon steel; 122,760,000 pounds of silicon steel; 1,760,000 pounds of I-bars; 850,000 pounds of castings; 3,500,000 pounds of highway steel ties, and 805,000 pounds of reinforced steel.

All this material will be purchased from the steel mills of the East. There will also be used a very large tonnage of cement, lumber, and so forth, that will give the railroads considerable revenue for transportation. In addition to the above, the several railroads will have to adjust their tracks and incur expenses as follows:

Gulf Coast Lines, build a connection fifty-seven hundredths mile in length at a cost of \$19,000 per mile, and a double track 2.8 miles in length at a cost of \$35,000 per mile.

Texas & Pacific, build a connection, single track, 1.6 miles in length at a cost of \$19,000 per mile, and a double-track connection three-tenths mile in length at a cost of \$35,000 per mile.

Southern Pacific, build a single-track connection 2 miles in length at a cost of \$19,000 per mile.

It is accepted that the material which enters in the execution of a P. W. A. project is as follows:

First. Iron and steel.

Second. Foundry and machine-shop products, including machinery.

Third. Lumber and millwork.

Fourth. Cement.

Fifth. Concrete products.

Sixth. Bricks, tiles, and so forth.

Seventh. Heating materials.

Eighth. Plumbing materials.

Ninth. All other minor material.

Mr. Speaker, I again repeat that the element of per capita expenditure does not now, and never did enter in the consideration of P. W. A. projects.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

EXTENSION OF REMARKS

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio address delivered by myself.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein two letters sent to me by constituents.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House and to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BY WHOM AND HOW IS INDUSTRY STRANGLING, THE WORKINGMAN MADE TO PAY TRIBUTE, AND THE CITIZEN DEPRIVED OF THE RIGHT OF FREE SPEECH?

Mr. HOFFMAN. Mr. Speaker, industry is being strangled by the National Labor Relations Board's interpretation and application of the Wagner law and the activities of the C. I. O., acting under the protection of that Board and the New Deal administration.

Declaring its purpose to be "to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes," the so-called Wagner Act became law on July 5, 1935.

To accomplish its purpose the act established certain rights of the employees and defined, in a broad way, certain conduct on the part of the employer which it was declared would interfere with the exercise of the rights so established.

The act neither declared nor established any right of the employer and it provided no method for his protection against unfair practices on the part either of his employees or of labor organizers.

The act created the National Labor Relations Board, composed of three members appointed by the President, by and with the advice and consent of the Senate. These three members were given authority to appoint an executive secretary and all attorneys, examiners, regional directors, and other employees that it might find necessary for the proper performance of the duties imposed upon it.

RIGHTS OF EMPLOYEES

Section 7 of the act provides:

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

UNFAIR LABOR PRACTICES

Section 8 of the act provides:

It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, * * *

INVESTIGATORY POWERS

Section 11 provides:

For the purpose of all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it by section 9 and section 10—

(1) The Board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Board shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Board, its member, agent, or agency conducting the hearing or investigation. Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

Section 11 gives the Board, or any agent of the Board, the right to search for and to examine the private papers of any person being investigated or proceeded against that relate to any matter under investigation or in question, and the Board or any member of the Board may require the attendance of witnesses and the production of evidence at any place in the United States or any Territory or possession thereof at any designated place of hearing. Nor is any person excused from attending, testifying, or producing his private papers, on the ground that the testimony might tend to incriminate him.

Subdivision (c) of section 10 authorizes the Board, if, in its opinion, any employer has been engaged in any unfair labor practice, to take such affirmative action, including reinstatement of employees, with or without back pay, as will effectuate

ate the policies of the act; that is, tend to diminish the cause of labor disputes burdening or obstructing interstate and foreign commerce.

THE ASSAULT UPON INDUSTRY

Acting under the provisions of the Wagner Act just cited, the National Labor Relations Board has, in conjunction with the C. I. O., launched an attack against the employer, which will gradually but very effectively and with absolute certainty compel him to either give up his business or submit to Government control.

At the time the Senate was considering this act and before it became a law, the committee having it in charge, in its report to the Senate, said:

The committee wishes to dispel any possible false impression that this bill is designed to compel the making of agreements or to permit governmental supervision of their terms. It must be stressed that the duty to bargain collectively does not carry with it the duty to reach an agreement, because the essence of collective bargaining is that either party shall be free to decide whether proposals made to it are satisfactory.

The author of the law, Senator WAGNER, wrote to the New York Sun in November 1935, stating:

The law does not require any employer to sign any agreement of any kind. Congress has no power to impose such a requirement.

Chief Justice Hughes, delivering the opinion of the Supreme Court on April 12, 1937, upholding the Wagner Act, among other things, said:

The act does not compel agreements between employers and employees; it does not compel any agreement whatever; it does not prevent the employer from refusing to make a collective contract and hiring individuals on whatever terms the employer may by unilateral action determine.

It will be noted that the author of the law, the Senate committee, the Supreme Court of the United States, all have stated in no uncertain terms that when a labor dispute arose between the employee and the employer, there was no provision in the Wagner Act which compelled the employer and the employee to enter into any agreement whatsoever, nor was there any provision requiring them to sign any written agreement.

DENIAL OF DAY IN COURT

The old expression that "even a dog is entitled to his day in court," if it has not escaped the attention of those members of the N. L. R. B. who are interpreting and attempting to enforce the Wagner Act, is being disregarded by them.

The thought that every person accused of either a felony, misdemeanor, or a civil wrong is entitled to a fair hearing seems never to have occurred to them.

Not only are all rules of law which apply to the introduction and the consideration of evidence disregarded, but the ordinary common sense which the average man on the street with or without education applies and uses in the determination of questions which affect his interest have no place in their consideration of a charge against an employer.

What Jones says Smith said about Brown, if it reflects unfavorably upon the conduct of the employer, when presented to the Board by even the most prejudiced of witnesses, becomes an established fact, although there may be several valid reasons for the discharge of an employee, such as his disregard of printed rules promulgated to promote the safety of the worker himself or his fellow workers.

If the man discharged is a member of the C. I. O. and has been active in advocating the doctrines of the C. I. O., the examiner and the Board itself all too frequently forthwith arrive at the conclusion that he was discharged because of his union activities.

If the Board ever heard of the rule that a question should be decided by a preponderance of the evidence, it shows no intention of applying it.

Although all men recognize that justice requires that a man accused of an offense or of a civil wrong is entitled to the presumption of innocence; that ordinarily, when a person is accused of some misconduct, the hearers require proof, the Board and its examiners seem to assume that the filing of a charge raises the presumption that the charge is true.

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Sooner or later the courts of the land will declare this whole procedure to be unlawful, or, if the courts do not so declare, public indignation and economic disaster following the rulings of the Board will compel the repeal of the law which sanctions it.

The provision of the law which requires the courts to uphold the conclusions of the Board or the trial examiner, if there be one word of testimony in the record to sustain them, deprives all those workers who do not belong to the contesting union and the employer as well of his day in court, or of a fair hearing. This provision of the law must be repealed or amended.

With this attitude on the part of the Board in approaching the hearing, it is small wonder that independent workers, employers, and the public at large feel that the activities of the Board are largely in the nature of persecution.

The present widespread demand for the dismissal of the present personnel of the Board, its examiners and investigators, and for the amendment of the Wagner Act is undoubtedly caused by the unfair and arbitrary methods employed.

ORDERS WITHOUT HEARINGS

As late as April of 1938 a court was compelled to intervene to prevent an examiner refusing to permit an employer charged with an offense employing the attorney of his choice to represent him.

Without a hearing of any kind an order was made prohibiting the attorney for the employer from appearing before the Board.

Commenting upon this order, Judge Otis of the United States District Court of the Western District of Missouri, said:

Before you have a hearing, you say, "I arbitrarily prohibit your appearance." That is such an act of tyranny that, if a judge said it, it would be the subject of an impeachment. It is the most arbitrary action I ever heard of.

In another case, after the Second Circuit Court of Appeals had ordered that the independent workers should have the right of being heard on appeal, the Board itself, when a petition was presented on the 5th day of March 1938, which was a Saturday, without hearing any further testimony, arbitrarily denied the prayer of the petitioner on March 8, thus demonstrating again that it does not believe in giving, and does not intend to give, an accused party that fair hearing which is one of the foundations upon which the liberty of our citizens rests.

It is no answer to this arbitrary and unreasonable course to say that, if the Board be in error, its conduct can be corrected by the courts. In far too many cases, the activities of the Board, especially against financially weaker companies, and most certainly against the independent workers, has resulted in their bankruptcy.

It matters little to one accused before the Board that he may have a legal remedy, if his financial condition is such that he cannot employ attorneys and stenographers and pay for printing and so make available that remedy. Bills for stenographers' fees, to say nothing of attorneys' fees, in even the most trivial cases are not apt to be less than a thousand dollars.

ARBITRARY AND UNLAWFUL ORDERS

Although it has been established by the highest authority that neither a written agreement, nor any agreement, as a matter of fact, can be forced upon either employee or employer, the N. L. R. B. attempts to overrule the Supreme Court and, presupposing that its unlawful demand that an agreement be reached will be complied with, orders that, when reached, that agreement be put in writing.

In the opinion of the Board, a failure to reach a verbal agreement raises a presumption that the collective bargaining on the part of the employer has not been carried on in good faith.

On April 6, the N. L. R. B. decided that the Inland Steel Co., of Chicago, violated the Wagner Act by declining, in advance of collective bargaining, to agree to a signed contract.

The Labor Board, criticizing the company because it refused to agree to enter into a written agreement, if one was reached, said:

Such conduct (refusal) is simply not engaged in between concerns dealing as equals.

It then proceeded:

An employer is not privileged to deny collective bargaining to the representatives of his employees merely because he views the representatives as irresponsible.

and then proceeded to make this most amazing statement:

And the alleged irresponsibility is likewise irrelevant in determining whether he must embody understandings in a written agreement.

The Board orders an employer to put in writing any agreement which he may reach, even though the party with whom he is bargaining is irresponsible. Such an agreement would bind the employer, but it would be worthless in securing to him any right or advantage contained in it.

The futility of entering into either a written or verbal contract with an irresponsible party is demonstrated by the experience of General Motors, which had some 200 stoppages of work and strikes, notwithstanding the fact that it had a union contract.

Chrysler furnishes another example. In May of 1937 it entered into a contract for a year with the U. A. W.

Nevertheless, before the year was ended, production was stopped or slowed down 39 times.

There is a record that, on 52 occasions, men were beaten, threatened, or coerced in the plants by the union.

Committeemen of the unions spent nearly 75,000 hours of company time discussing alleged grievances of union members.

In addition to the loss by the company, 335,000 hours of work were lost and the wage loss alone was \$318,000.

The union in this instance refuses to live up to its contract.

On the 7th of April, the Board ordered the Globe Cotton Mills of Augusta, Ga., to sign a union contract, if a collective-bargaining agreement was reached.

The Board, in this second case, held that the refusal of the Globe Cotton Mills to agree in advance that, if and when it came to an agreement with the union, it would sign a contract, was a violation of the act.

The Wagner Act does not provide for either mediation or arbitration, nor for the submission to any tribunal of the reasonableness of the demands or of the position taken by either employer or employee.

Any provision of the law, if there were such, requiring the parties to reach an agreement, would not only be illegal but unreasonable from a practical standpoint.

Such a provision in a law, that is, one which required the parties to meet and to agree, would mean that the stronger, either from a financial or a physical standpoint, would always prevail; that might make right.

If, in a factory where the wage had been a dollar an hour, the union should demand \$2 and insist upon that demand, regardless of the ability of the employer to pay, an agreement might be reached, but the inevitable result would be the closing of the plant, the loss of all jobs.

On the other hand, if the employer refused to pay a wage on which the worker could sustain himself, production would cease because of his physical inability to produce the manufactured product.

On this point, that is, of an agreement between employer and employee, all the Wagner Act requires is that they meet and, in good faith, attempt to reach an agreement.

If either party in the beginning insists upon an impossible demand, efforts of the Labor Board or of the Governor of a State to force the parties to meet and remain in continuous session, as did Governor Murphy in the motor strikes in the spring of 1937, are but coercion and intimidation and result in no final, lasting solution.

A BIASED BOARD

In many cases where a dispute has arisen, strikes have been called. In many instances forceful possession of factory or mine has been taken, and, even though an overwhelming majority of those actually working were satisfied with wages, hours, and working conditions, they were, by a small minority, usually reenforced by invading "flying squadrons" from other plants, cities, or States, owing allegiance to the C. I. O., driven from their jobs.

In almost every instance C. I. O. organizers at once began the formation of a C. I. O. affiliate. When local and State authorities permitted these raiding invaders to hold possession of factory or mine, those who desired to work were driven, whether they wished or not, into the C. I. O. organization and subjected forthwith to the payment of an initiation fee, monthly dues, and special assessments, the amount of each determined, not by the workers themselves but by those who directed the activities of the C. I. O.

In other instances where there were independent unions or union affiliates of the A. F. of L., those organizations were raided by the C. I. O. organizers.

In almost every instance coercion, intimidation, and violence followed. If C. I. O. considered itself strong enough to win an election, the N. L. R. B. readily granted an election. If it did not represent a majority, the election was delayed.

In some instances, as in the recent Consumers Power Co. strike, which occurred on April 1, 1938, as long ago as December of 1937, an A. F. of L. union demanded an election, and, in January 1938, an independent union made like demand.

The Labor Board delayed and has not yet called an election. In this particular instance the strike itself may be laid directly on the doorstep of the N. L. R. B. because of its failure to call an election to determine the bargaining agent. Had that Board acted promptly and fairly, an election might easily have been held, the bargaining agent determined, and a contract entered into.

It is no answer to this charge for the Board to say, as it does say, that it was waiting to determine a jurisdictional question. In two other cases, that of the Appalachian Power Co. and the New York Edison, involving the production and distribution of electricity, the Board had assumed jurisdiction, and its assumption of jurisdiction was upheld, in the first cited case, by the Circuit Court of Appeals of the Fourth Circuit on January 4, 1938; and, in the second, by the Circuit Court of Appeals of the Second Circuit on March 14, 1938.

Here is one case at least where C. I. O. representatives seized possession of the generating and distributing plants upon which more than a million people depended for light and power, as the direct result of the failure of the Board to perform its statutory duty to aid in diminishing "the causes of labor disputes burdening or obstructing interstate and foreign commerce."

In other instances, after a dispute arose, either between unions or between employer and employees, the Board has issued orders which place the employer, who is willing to bargain with any agency, who desires only to give employment and to continue his business, between two opposing forces, which will ultimately either force him into bankruptcy or a discontinuance of his enterprise. The employer is ground between the upper and the nether millstones.

ORDERS IMPOSSIBLE OF PERFORMANCE

Regardless of a willingness on the part of the employer to accept the provisions of the Wagner Act, the Board has followed the practice of issuing orders with which it is a physical and an economic impossibility for the employer to comply.

Here are several typical cases:

In the Remington Rand case, there was an A. F. of L. organization and an independent union. The company had a contract with the independent union. But, on the theory that the independent union was company instigated and company supported, it was ordered to disband. The company was ordered to reinstate and reimburse and move to

their jobs more than 1,200 former employees, who were strikers, and to discharge, if necessary, an equal number of those belonging to the independent union.

The Board ordered further that the company bargain collectively with the A. F. of L. affiliate, which there demanded a closed-shop agreement, which would exclude not only members of the independent union, those who were members of no union at all, but also members of the C. I. O.

In the case of the Fansteel Co., an examiner ordered the company to reinstate 83 employees, 59 of whom took part in a sit-down strike, and to pay \$70,000 in back wages to 67 of the workers—and this notwithstanding the fact that 37 of the strikers had been sentenced by the Lake County Circuit Court at Waukegan to jail and fined on contempt charges for violating a court injunction against occupying the company's North Chicago plant. True, in this case, the Board overruled the examiner's determination for the payment of back wages.

Although an overwhelming majority of the employees of the Republic Steel Corporation refused to join the C. I. O., insisted upon their right to work, the N. L. R. B. ordered their union dissolved.

It ordered the company:

To reinstate 27 named employees allegedly discharged for union activity, with back pay, less other earnings, for the period May 4 to May 25, 1937.

To reimburse employees of the Canton tin-plate mill and the Massillon works for wages lost between May 19 and May 25, due to the shut-down of these plants.

To reinstate, with back pay from April 8, 1938, less other earnings, upon their application, all of the estimated 5,000 employees who struck on May 25 and thereafter, discharging other employees hired after the strike if necessary, and giving preferential positions on employment lists without discrimination to any who cannot be reinstated because of reduction of working forces.

It appears from the record that 6 C. I. O. members pleaded guilty to the use of explosives; that 9 pleaded guilty to obstructing United States mails; that 12 pleaded guilty to assault and battery; 67 to rioting; 6 to malicious destruction of property; 5 to obstructing railroad tracks; and 9 to carrying concealed weapons.

Yet, in the face of this record, the Board ordered the reemployment of all of these men, with the exception of the six who pleaded guilty to the use of explosives, three of whom are now in the State Penitentiary, and one who pleaded guilty to the destruction of property.

In this case, if the Board follows some of the precedents which it has set, it will ultimately order Republic to bargain collectively with the C. I. O. affiliate, and it will probably attempt to enforce a closed-shop agreement.

The Bradford Dyeing Association Employees' Federation of Rhode Island represents 502 of the 753 employees of the Bradford Dyeing Association and has a collective bargaining contract with the employer.

Nevertheless, the N. L. R. B. ordered the union to disband and the company to recognize the C. I. O. as the sole bargaining agent. It also ordered the reinstatement, with back pay, of Percy Scofield, who had been discharged because, in violation of rules, he persisted in smoking in a locker room.

Douglas Aircraft Co., Inc., at Santa Monica, Calif., was ordered to reinstate 45 strikers belonging to a C. I. O. affiliate and to reimburse them for any loss they sustained because of the strike.

The Board's hearings in this case began on June 7. They continued until August 20, 1937, and only on last Friday, April 22, was a decision of the Board handed down.

This delay means that, during all the time the case was under consideration and until the striking employees are reinstated, the company will be compelled to reimburse them for the time lost while they were on strike.

In the case of the National Motor Bearing Co. of Oakland, Calif., the company, which had a contract with the International Association of Machinists, an A. F. of L. affiliate, by an order signed at Washington on the 18th day

of February, 1938, was required to discharge its employees and to reinstate 56 strikers who belonged to the C. I. O.

In this case the employer was ordered to—

Make whole the employees who had been on strike for any loss which they had sustained during the striking period.

Doubtless many other similar cases might be cited. The foregoing are typical.

In the National Motor Bearing Co. case the A. F. of L. affiliate gave written notice on March 3, 1938, that it represented more than a majority of the employees in the appropriate bargaining unit and made its demand that the employer should not recognize the United Automobile Workers or any other organization until decision by a court of competent jurisdiction.

As you will note the employer in this case, as in many others, caught between the claims of the rival unions, willing as he may be—as in this California case the employer was, and I have it from him personally—to bargain with either unit, finds himself now, having bargained with the A. F. of L. unit because from all investigation which he could make he believed that unit to represent a majority of his employees, ordered to pay to those who went on strike a sum which will amount to \$48,118.72, and he is ordered to discharge the A. F. of L. men to make way for the C. I. O. men.

If he complies with the order of the Board, and, upon decision by the court it develops that A. F. of L. does represent the majority, he may then be ordered by the Board to pay the A. F. of L. men who were discharged to make way for those ordered reinstated by the Board.

If he refuses to abide by the order of the Board and reinstate the C. I. O. men and it appears upon court hearing that the Board was correct, then he will be required to pay them an added sum covering the amount which they may lose between the date of the Board's order and the final decision of the court.

The company lacks the liquid funds to meet this obligation imposed by the Board. The only possible way it can obtain the funds would be by mortgaging its equipment and inventory. If it does this it destroys its credit and those who supply materials would ship only on a c. o. d. basis, which, every manufacturer knows, would have the effect of preventing production on a reasonable or profitable basis.

During the months of January, February, and March of 1938, because of poor general business conditions, the plant has been operating at a low volume of production and the business, as a result, has shown in each month a loss in excess of \$6,000.

If the company complies with the order by reinstating the 56 employees, the monthly loss will unquestionably be increased because of their addition to the pay roll, because of the added interest charge on the money which it would be necessary to borrow to reimburse them, and because, if they are reinstated, the union affiliated with the A. F. of L., if it takes the action threatened in its written notice, will effectively destroy future operations, even on a limited scale.

From the foregoing illustrative cases, in none of which can the facts cited be successfully denied, it is evident that the employer, if the Board continues its interpretation of the law, will be liquidated.

First. Because he has no way of successfully contesting the demands of the union, however irresponsible it may be or how unreasonable its demands.

Second. Where the Board orders the reinstatement and reimbursement of striking employees who have learned that, no matter how insubordinate they may have been or how unproductive their work, they can be reinstated and reimbursed for all lost time by taking refuge behind the plea that they were discharged for union activity, production on a profitable basis is impossible.

If the employer has no choice as to whom he will hire and no discretion as to when he may discharge, all know he cannot operate successfully.

Under the rulings of the Board, the employer is forced to retain in his employment, when they are members of

the C. I. O., lazy, incompetent, and insubordinate trouble-makers.

Third. Because in many instances his financial resources will not permit him to comply with the orders of the Board as to reinstatement and reimbursement.

"DAMNED IF YOU DO AND DAMNED IF YOU DON'T"

That it is the purpose of the Board to harass and ultimately to destroy the employer and force his business under Government control, so that they and their kind can continue in office and supplant businessmen in conducting the Nation's business is evident from the decision in the Hoover Vacuum Cleaner Co. case, decided on April 21, 1938.

Remember now, the purpose of the Wagner Act is "to diminish the causes of labor disputes."

In the past, many of these cases have arisen because of a disagreement as to wages, hours, or working conditions.

Since the New Deal took over and the C. I. O. became its mouthpiece, the drive has been to force the employer to recognize the C. I. O. as the sole bargaining agent and collector of dues; to establish in the minds of employee and employer the fact that no man can work until he has signed John L. Lewis' card on the dotted line.

In the Hoover case there was no dispute as to hours, wages, or working conditions; in fact, there was no dispute of any kind between employer or employee.

The company voluntarily gave all its employees an increase of 10 percent in wages and a vacation with pay, depending upon the length of service and the wage paid.

Upon charges filed by the C. I. O., the trial examiner held that giving an increase in wages and promising a vacation was an unfair labor practice.

In affirming the decision of the trial examiner that the employer was guilty of unfair labor practices, the Board cited as proof the act of the company in discharging one man who, in violation of a published rule, was absent from his work 2 days. It appeared that, on these 2 days, he was in jail at Massillon, Ohio, because of his arrest during a strike in that neighboring city.

The Board cited as further proof the fact that one man testified that a foreman said to him, in substance, that, "When this trouble is over, some of these fellows will lose their jobs."

It also cited as proof of an unfair labor practice the act of the employer in posting a notice to the effect that any man might join or refuse to join any union, but that, in his opinion, the organizers were more interested in the collection of dues than they were in the workers' welfare.

The Board said there were other unfair labor practices, evidently including in this description the increase in wages and the giving of a vacation.

SOME RESULTS OF THE N. L. R. B.'S ACTIVITIES

The orders cited show how, if it be required to comply, it is impossible for industry to continue to give employment as it has in years gone by.

Due to the activities of the administration and the C. I. O., to the Wagner law as interpreted by the Board, many industries have been brought to the verge of bankruptcy. Thousands are operating on part time and, in many places, if they are to continue to operate, wages will necessarily be reduced.

At Akron, Ohio, the heart of the rubber industry, where the United Rubber Workers of America, a C. I. O. affiliate, reigned supreme; where, in 1936, there were 40,000 jobs for rubber workers, the number has now dropped to 25,000 and, in March, the Goodrich Co., laying its troubles to the wage rates imposed by C. I. O. and the inflexible 34-hour week, served notice that, unless certain changes were accepted by the union, 5,000 jobs would be moved elsewhere.

One branch of the rubber industry is already building mills at Fall River, Mass.

In Pennsylvania, due to the Wagner Act, the State labor law, the activities of the Board and of the C. I. O., many industries already have left, or soon will leave, the State for more favorable locations.

Note this statement from one Pennsylvania worker:

The union pulled a strike there last October 11, 1936, for union wages and closed shop. After 9 months of strike, mill is sold. The new firm signs a union agreement for 15 percent under union rate, which is less than old firm paid.

The situation has become so acute that not long ago a delegation from Akron came to Congress asking for an amendment to the law which would prohibit industry from decentralizing its activities. Such a law is not only unconstitutional, but, like many of the Labor Board's rulings, impossible of enforcement.

An issue of the Eaton Rapids (Mich.) Journal contained the statement that, just before Christmas in 1936, the Horner Bros. Woolen Mills paid out, in pay roll and bonus checks, something like \$30,000. During the summer of 1937 the mills were closed by C. I. O. organizers. The sum paid was not much, but the town is small and the Journal says that the sum paid amounted to more than \$10 for every man, woman, and child in Eaton Rapids. Commenting, the paper said:

This is something for everybody to think about.

May we not take thought of the situation? The Labor Board may order the employer to reinstate and reimburse striking employees; employees who have not only been on strike, as they have the right to strike, but employees who have prevented other men from working; who have destroyed company property; who have violated the law of the land.

When these men are taken back, what is their attitude toward the management? Many of them assume, and perhaps rightly for the present, that they cannot be discharged.

The Board has held that a slow-down, that is, a lessening of production, is not justification for the discharge of an employee. If the worker may slow down, if he knows that he cannot be discharged, is it not true that production will fall off?

In more than one industry it has been found that, notwithstanding an increase in wages and a lessening of hours, the production per hour per dollar has been decreased; that is, that, while the employer has given a higher wage for a shorter work period, he has received less in return than he received for a lesser wage and for a longer hour.

Is it not time that we in Michigan profit by what has happened in other States, and before our motor industry is caused to disintegrate, to seek other locations, we give to it and to those who would work in it that equal protection of the law guaranteed by Constitutions of State and Nation?

This can only be accomplished by the amendment of the Wagner law, by a change in the personnel of the Labor Board, and by an observance and enforcement of our law, without fear or favor, by a patriotic Governor.

Already we hear rumors that industries in Michigan are looking for other locations. We may sneer at these rumors; we may with loud acclaim declare them to be but propaganda on the part of the employer.

But the cold, hard fact remains that if we continue to permit the radicals within labor's organized ranks to deprive those who wish to work of their jobs; if we continue to permit this loud, shouting, violent minority to practice coercion and intimidation, to close factories at its will, to defy and set at naught the officers of the law, to deny to the peaceful citizen his right to proceed to and from his daily toil, just as surely as the sun rises in the morning and sets at night we in Michigan will live to see the day when some of our industrial plants will close their doors permanently or move to other cities and States where they can be assured of the protection guaranteed to them by the law of the land.

THE WORKINGMAN IS FORCED TO PAY TRIBUTE

The Wagner law expressly provides, in substance, that no employer shall in any manner interfere with, restrain, or coerce employees in the exercise of the right to self-organization; to form, join, or assist labor organizations, or to

bargain collectively through representatives of their own choosing.

This would indicate to the lay mind that an employee should be free to join or not to join a particular union or to refrain from joining any union as a condition precedent to his employment.

Subdivision (3) of section 8 states that nothing in the act—

Shall preclude an employer from making an agreement with a labor organization * * * to require as a condition of employment membership therein, if such labor organization is the representative of the employees * * * in the appropriate collective-bargaining unit covered by such agreement when made.

Under this subsection the Board holds that if the employer chooses to make, and makes, a closed-shop agreement with the union, all men, if they desire to work, must join that particular union.

This provision and this ruling closes the door of that factory or mine to the members of any other organization, to all independent workers, unless they yield to the demands of the bargaining agent and become members thereof.

Although section 7 of the act expressly provides that employees shall have the right to bargain collectively through representatives of their own choosing, the Board, by the construction placed by it upon a proviso in another section, denies to the employee the right to join an organization of his own choosing and holds that, if a majority in the plant agrees to a closed shop, all who desire to work in that plant may be forced out of the union of their choice and into the union which they do not wish to join.

Under this law, as interpreted by the Board, the right of the employee to join the union of his choice is denied him.

It is no violation of the law to coerce, intimidate, or by the application of physical force compel an employee, however reasonable his objections, to join a particular union or to prevent him from joining the union of his choice, if the coercion, intimidation, or violence is applied by a fellow worker or the "flying squadron" of a rival organization.

Thus, for the first time in our history, we have a situation where men are not free to seek and obtain jobs solely on their merit, solely because of their ability to work and the willingness of an employer to hire them.

The Board has gone one step farther and has intimated to employers that they should submit to a closed-shop agreement.

Where elections have been asked by the A. F. of L. or by an independent union, the Board has refused to order them, thus affording to the C. I. O. organizers an opportunity for a membership drive, so that a majority might be obtained and thus a closed-shop agreement limiting employment to members of the C. I. O. driven through.

ASSAULTS ON A. F. OF L.

The following unions, all affiliates of the A. F. of L., had written collective-bargaining contracts with the employer:

International Brotherhood of Electrical Workers (employer, National Electric Products Co.).

International Brotherhood of Electrical Workers (employer, New York Edison).

International Association of Machinists (employer, Zenite Metal Products Co.).

International Association of Machinists (employer, National Motor Bearing Co.).

International Brotherhood of Electrical Workers (employer, Consumers Power Co.).

Boot and Shoe Workers Union (employer, Lenox Shoe Co.).

Metal Trades Division (employer, Combustion Engineering Co.).

In each and every instance the Board assisted the C. I. O. in its effort to break these contracts.

Successful action on its part in these instances would have forced, had the C. I. O. obtained a closed-shop contract, every American Federation of Labor man who desired to hold his job to join, pay dues and special assessments to the C. I. O.

In the cases cited, fortunately the C. I. O. was unsuccessful, but that will not always be true.

NOR IS THE WORKER, ONCE HE JOINS THE C. I. O., A FREE MAN

On the letterhead of American Federation of Hosiery Workers, Branch No. 10, C. I. O., we have this letter—omitting the name and address:

MARCH 23, 1938.

This acknowledges receipt of your registered letter * * *, wherein you state your desires to withdraw from membership in branch 10.

Please be advised that by reason of negotiations between this union and the Oakbrook Hosiery Mills, Inc., the company has agreed in a letter dated March 21 to, from that date on, place into effect in the Oakbrook Hosiery Mills, an additional clause to the present agreement to the effect that all union jobs shall remain union jobs during the life of the present agreement.

You are, therefore, officially notified by this union that according to the terms of that addition to the agreement, you are required to retain membership in this union. The letter to the union verifying this arrangement for the company was signed by Mr. Isaac C. Eberly, the president and treasurer.

I repeat, therefore, that by reason of this recent addition to the agreement which was effected by negotiation on Saturday, March 12, you are required to retain membership in this union.

Caught in the net of the C. I. O., the young woman who received the letter just read finds herself now, not subject to the rule of a "labor boss," but completely under the domination of the officers of a labor union.

When she was subject to the orders of the employer, she could at least quit her job. This letter discloses that, having joined this particular union, she must remain a member of it, pay her dues and special assessments, if she desires to work.

But examples need not be cited. In our own State of Michigan, we have, within the last few days, had an example of the loss of freedom on the part of the worker.

Not content with striking against the employer, against a rival union, the C. I. O. strikes against its own members.

The Wagner law was passed to, among other things, give the employee the right to join or not to join a union of his choice.

In Detroit and Flint, the C. I. O. picketed the plants where its members were employed because nonunion men and union men who had failed to pay their dues were working there.

The union took, and still takes, the position that, before the man who works may spend the money which he earns for bread to feed his children, for clothing to keep them from being naked, for rent for the shelter which covers them, for the medicine which the doctor prescribes to keep them in health, he must pay to the C. I. O. and its communistic leaders the dues which may be levied, not by his own organization but by those in control of it.

It takes the position that, before a man can walk through the gates of a factory to earn a livelihood for himself, his wife and his children, he must pay the tribute exacted by the Lewis organization.

That is the situation, and there is no dispute about it, and, to their shame be it said that the people of Michigan submit.

When the pirates of Algiers sought to levy tribute on American merchantmen, the brave Dale, Decatur, and Preble and other commanders sailed our warships into their harbor and, with musket and cannonball, ended their reign of terror.

Just how long will we submit to this new form of piracy? Congressman Harper in 1798 is credited with saying, "Millions for defense, but not a cent for tribute."

Unless we adhere to the principle in that declaration, our self respect, our freedom, our liberty, our independence are lost.

The result of the N. L. R. B.'s support of the C. I. O. and its methods has encouraged that organization to extend its system of levying tribute, its racketeering, into the ranks of those on the Government relief rolls.

W. P. A. and P. W. A. workers are now being solicited and soon will be forced to pay a part of the money which you, as

taxpayers, give to them for made work, work which you do not need done, but which they need in order to buy food and clothing, to the C. I. O. organization.

If they continue logically upon the course which they have mapped, they will soon be asking tribute from the Red Cross and other charitable organizations. They will be organizing the recipients of Red Cross funds and advising them to demand more frequent and larger contributions from the charitable citizens of the land.

Already they are using the system when they force workers, by strikes, to lose their jobs, placing them on the relief rolls.

What justification is there in asking the man who is working, who is willing to work, to contribute by way of taxation to the support of men who will not work, and then permitting the C. I. O. collectors to take a portion of the money extracted from the man who does work to keep alive the man who will not work?

The taxpayer, the man who is working, who owns property, pays to the Federal Government the money to create a job for a man who is unemployed, who otherwise would be idle. Then along come the C. I. O. racketeers, compel the man who has obtained this job created by the taxpayer's money to give up a portion of that money to them.

Just how long will the women and the men who work for their livelihood permit this organization to prey upon the worker, upon those who are receiving relief funds, either by direct allotment or through made work?

NOR DOES THE END JUSTIFY THE MEANS

Aside from the principle involved, the methods have brought nothing but disaster, not only to the employer but to the worker as well.

Murphy's method of settling the labor disputes early in the year 1937 by forcing General Motors to yield to the organization, some of whose leaders he declared to be communistic in their activities, did not bring peace.

Almost continuously since the day when he announced the settlement of the labor troubles we have had industrial strife. That strife spread not only from Flint and Detroit throughout our own State, but into other States, and, in some degree at least, its growth was due to his failure to comply with his oath of office to perform his duty as chief executive officer of the State.

The methods of the Labor Board which have been cited tend no more than did Murphy's efforts to decrease the causes of industrial disputes.

RIGHT OF FREE SPEECH DENIED

The first amendment to the Federal Constitution states that:

Congress shall make no law . . . abridging the freedom of speech or of the press.

Down through the years that right has been upheld by the courts. Within a month the Supreme Court of the United States held that a town or city cannot by ordinance prohibit the circulation of handbills advocating the views of the writers.

The Labor Board assumes to itself under the Wagner law the right to prevent Ford and every other employer from advising his men that they need not set apart a portion of their wages as contributions to some outside organization in order to obtain or hold their jobs.

The conviction of Henry Ford denied to him the freedom of speech guaranteed to him by the Constitution.

Other men have been declared to be guilty of unfair labor practices by this Board because they have assumed to inform their workers that they need not join the C. I. O. in order to obtain or hold a job.

In the case brought against the National Motor Bearing Co., Inc., of Oakland, Calif., an organizer was attempting to force some of the employees to join the C. I. O. union and pay tribute.

A foreman in the plant obtained a photostatic copy of his registration papers, which showed that he was registered as a member of the Communist Party.

The Board held that the act of this foreman in showing this photostatic copy to his fellow workmen was an unfair labor practice on the part of the company.

It follows, then, that if the officials of the company informed its employees, its honest, law-abiding, respectable workers, that one of those who was attempting to disrupt their union, force them to join another union, and pay fees to his organization was a thief, a robber, a murderer, or a kidnaper, they would be guilty of an unfair labor practice.

THE REMEDY

The attempt by the N. L. R. B. to interpret and enforce the Wagner law has demonstrated that the entire present personnel of that Board should be dismissed and that the law itself should be drastically amended.

While the purpose of the law is good and should be retained, the law, before it can be successfully applied, must be amended so as to protect the rights of all workers as well as those who happen to belong to an organization which represents 51 percent or less of those employed.

After all, it cannot be forgotten that, of the more than 40,000,000 men and women who daily toil in factory, mill, or on farm, labor organizations claim to represent no more than six million.

The personnel of the N. L. R. B. must be changed, for the reason that, as at present constituted, that organization considers itself, as a whole, to be charged with the mission of forcing the workers into one union or another and, in the past time, of operating by its orders the business of the employer, without at the same time assuming any of the responsibilities which rest upon him.

The people of Michigan and of the Nation have come to the parting of the ways.

Since the last day of December in 1936, when the sit-down strikes came to Michigan, we have temporized.

We all know that it is the duty of the Governor of our State, as its chief executive, to give to our citizens, one and all, protection from lawlessness, from violence, from the danger of great bodily harm.

We know that it is his duty to see to it that the citizens are secure in their property; to afford to every man who desires to work protection while on the job, while going to and coming from it.

We know that our Governor has failed to perform these duties. His reason for such failure he states to be his desire to avoid violence and bloodshed—a most commendable and desirable objective, but one for which it is possible to pay too high a price.

He has avoided some violence, some bloodshed, by giving the citizens of the State to understand by his conduct that he would not afford them protection if they lawfully resisted the unlawful demands made upon them.

With as much reason might he say to his wife or his daughter, if he had one, when criminally assaulted on highway or in home, "Do not resist; we must avoid violence and bloodshed."

His position is unsound from a legal and from a moral standpoint. It ignores the basic human characteristic of refusing to submit without a struggle to unjust demands and conduct. It ignores the age-old, God-given right of self-defense, of self-preservation.

The citizens of Michigan must decide now and in the immediate future whether they desire a government by the C. I. O., administered by its leaders, or whether they desire a government under the laws made by their representatives and administered by the executives of the State, counties, and cities. There is no middle ground.

If we desire to retain our liberty, our economic independence, we must in no uncertain manner call a halt to the vacillating, irresponsible, traitorous course which Governor Murphy so far has followed.

Domestic violence within the State of Michigan has deprived the people of that State of the rights, privileges, immunities, and protection guaranteed in the Constitution, and the constituted authorities have failed and refused protection to the people of that State, and such failure is,

by section 5299 of the Revised Statutes, deemed a denial by the State of the equal protection of the laws.

That same statute declares that "it shall be" the "duty" of the President—

to take such measures, by the employment . . . of the land and naval forces of the United States, . . . or by other means, as he may deem necessary, for the suppression of such . . . domestic violence.

Section 3 of article II of the Constitution expressly declares—

The President shall take care that the laws be faithfully executed.

The President has failed in this duty, for he is directly chargeable with the failure of Murphy, his own selection for Governor of Michigan, to suppress violence and to protect the people of Michigan.

It cannot be said that the President was not aware of the situation, for the public press, day after day and on page after page, carried the news to him.

Moreover, Governor Murphy said during the time the strikes were in progress, in March of 1937, that the President—

. . . is watching Michigan every hour in connection with the strike situation.

He often calls morning, noon, and night to express his interest and great concern and to give his advice.

METHOD OF ENFORCING REMEDY

Since our Governor seems unable to comprehend what is happening, to anticipate the results which his course of conduct will inevitably bring; since apparently he acts only in response to mass gatherings and demonstrations—it may become necessary for the citizens of our villages, towns, and cities to organize and in orderly fashion march to Lansing, if we can find him there, in peaceful protest exercising our right of petition, and by mass demonstration, so that he can count our numbers, let him understand once and for all that we do not propose to yield our freedom, our right to do business, or our position as an industrial State to any radical minority.

Workers are as much interested in saving our factories as are stockholders and businessmen.

Mounting relief rolls will soon bring us to a state of financial exhaustion. An ever-increasing number out of work cannot always be fed, clothed, and housed.

Nothing is gained by postponing the decision.

Let us pledge our allegiance to our local peace officers, assuring them that we will, in all lawful ways, give them whatever assistance they may need to enforce the law, maintain peace and protect us while at work, in going to and coming from our work.

Let us, by petition and protest, by an avalanche of postal cards, letters, telegrams, and petitions overwhelm our Governor with the weight of our indignation.

Let us force him to take his stand, either as the chief executive officer of the State, at the head of the law-enforcement agencies of the State, or to come out and openly march with those whose lawlessness he has so long condoned.

If the outpouring of the protests of the outraged citizens, whose jobs are being taken from them, from whom tribute is being exacted, who are deprived of the right to join the union of their choice or no union at all, is emphatic enough; if we but do our duty by making these protests, our Governor will be brought to his knees and to his senses, law and order will be restored in Michigan, the worker will be permitted to toil—and this will be obtained without bloodshed.

Even the President was forced to bow to the wave of public sentiment which engulfed him when he attempted to pass the reorganization bill and to pack the Supreme Court.

Let us notify our Governor and the President that there still exists in this land of ours that spirit and determination which moved our ancestors to rebel against the oppression of King George.

If neither the Governor nor the President keep the pledge given in the oath of office which each took; if either fails

to perform his duty under the law and the constitution of State and Nation, then let him be impeached.

The time is here for us to be up and doing and, with the help of Him whose aid we ask and who, from the birth of our Nation, has guided our destinies, we will win this fight.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a speech by Hon. William Douglas, Chairman of the Securities and Exchange Commission.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TRANSUE. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a speech delivered by the Secretary of Agriculture at Lansing, Mich.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MEXICO

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD a public statement which I issued today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MEXICO IS A COMMUNISTIC STATE AND ITS COMMUNISM HAS BEEN PROMOTED BY PRESIDENT ROOSEVELT AND SECRETARY OF STATE HULL

Mr. TINKHAM. Mr. Speaker, Mexico upon our southern border has become a communistic state with a dictator. If communism can be successfully maintained in Mexico, it may well sweep through all Central and South America.

Communism in Mexico is a reflection of the communistic policy adopted in this country of transferring to the Government by legislation and Executive decree the control of industrial and agricultural enterprise until recently in private hands. Communism in Mexico is a reflection of the hostility of the present administration in this country to the profitable and beneficial private ownership of property and to the making of profits by anyone but the state. This is the very essence of communism: The pauperization of the people of a country for their political exploitation.

The communistic dictatorship of President Cardenas in Mexico is merely a reflection of the attempted dictatorship of President Roosevelt in the United States.

The United States has supported the development of communism in Mexico by subsidies from the United States Treasury in the form of purchases of Mexican silver at fantastic prices. Communism in Mexico has been further encouraged by the President and Secretary of State Hull by having as United States Ambassador to Mexico Josephus Daniels, who is known to be sympathetic to the revolutionary policies adopted there.

Mexico has now seized hundreds of millions of dollars' worth of small and large farms, of factories, and of other property belonging to United States citizens. At a time when bankrupt and predatory governments are restrained by no moral or legal principles, Secretary of State Hull has announced that the Mexican Government may seize any American property in Mexico, and the President has announced that the only payment that need be made for the property seized is its original investment cost minus depreciation, instead of its actual, fair, and equitable value.

As Mexico has no visible means of paying for any property which it may seize, as its bonds and other obligations have been worthless for the greater part of 20 years, and as its economic structure is on the verge of collapsing, the recent statements of the President and the Secretary of State mean in plain fact that under the auspices of the President and the Secretary of State of the United States the Government of Mexico can rob citizens of the United States of their possessions in Mexico with impunity.

In fact, the principle enunciated in these statements by the President and the Secretary of State proclaims to Central and South America particularly, but also to the whole world, that the property of United States citizens outside the United States may be seized with impunity and paid for, not at its actual, fair, and equitable value, but merely at the price of the original investment minus depreciation, and that if the country making the seizure is unable to pay for the property, they may have it without paying for it. Wholesale confiscation of American property all over the world is bound to follow, with a resultant heavy loss to United States citizens not only of principal but also of income from foreign investments. This will further materially reduce the fast disappearing wealth and income of the American people.

If the rigid, visionary, and impractical treaties of the Montevideo Conference in 1933 and adopted at Buenos Aires in 1936, which bound the hands of the United States, are to lead to jungle law in Mexico and Central and South America, they should be abrogated at once.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CROWE, for 3 days, on account of important business.

To Mr. BOEHNE, for balance of the week, on account of important business.

To Mr. FARLEY, for balance of week, on account of official business.

To Mr. DITTER, indefinitely, on account of sickness.

To Mr. BOYER, for this week, on account of important business.

To Mrs. O'DAY, for 1 week, to attend the New York Constitutional Convention as a delegate.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3691. An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia; to the Committee on the Judiciary.

S. 3898. An act to extend the times for commencing and completing the construction of a bridge across the Piscataqua River at or near Portsmouth, N. H.; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 3, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will continue hearings on the general subject of civil-service retirement on Tuesday, May 3, 1938, at 10:30 a. m., in room 246, House Office Building.

COMMITTEE ON THE DISTRICT OF COLUMBIA

There will be a meeting of the Subcommittee on the Judiciary of the Committee on the District of Columbia, on Tuesday, May 3, 1938, at 10:30 a. m., for the consideration of H. R. 9873, and H. R. 10416, defining and prohibiting unfair sales, etc.

COMMITTEE ON THE JUDICIARY

Subcommittee No. I of the Committee on the Judiciary will hold further hearings on the bill (H. R. 9745) to provide for guaranties of collective bargaining in contracts entered into and in the grant or loans of funds by the United States, or any agency thereof, and for other purposes, at 10 a. m. on Tuesday, May 3, 1938. The hearings will be

held in the Judiciary Committee room, 346, House Office Building.

In the RECORD of Thursday, April 28, there appeared the following notice from the House Committee on the Judiciary:

There will be a hearing held before the Committee on the Judiciary Wednesday and Thursday, May 4 and 5, 1938, on the resolutions proposing to amend the Constitution of the United States to provide suffrage for the people of the District of Columbia. The hearing will be held in the caucus room of the House Office Building, beginning at 10 a. m., on the days mentioned.

The dates for this meeting have been postponed and the notice should read for Wednesday and Thursday, May 18 and 19.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., on Wednesday, May 4, 1938, for the public consideration of H. R. 9907 and H. R. 8349, unfinished private bills. Room 445, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. LEA's Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, May 4, 1938. Business to be considered: Open hearing on H. R. 9909, wool labeling.

COMMITTEE ON PATENTS

A subcommittee of the Committee on Patents will hold hearings on H. R. 7851, to provide for the protection of certain patent owners, and for other purposes, at 10 a. m. on Thursday, May 5, 1938, in the committee room, 1015, House Office Building. Chairman of the subcommittee, Congressman LEON SACKS.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1278. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to provide revenue for the government of the Virgin Islands, to equalize taxation in the Virgin Islands, and for other purposes; to the Committee on Ways and Means.

1279. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1938, in the sum of \$150 (H. Doc. No. 610); to the Committee on Appropriations and ordered to be printed.

1280. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the District of Columbia for the fiscal year 1937 and prior fiscal years in the amount of \$51,629.83, and supplemental estimates of appropriations for the fiscal years 1938 and 1939 in the amount of \$390,993.05 (H. Doc. No. 611); to the Committee on Appropriations and ordered to be printed.

1281. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the fiscal years 1933 and 1936 in the sum of \$822.90, and supplemental estimates of appropriations for the fiscal years 1938 and 1939 in the sum of \$564,492.90, for the Department of Justice (H. Doc. No. 612); to the Committee on Appropriations and ordered to be printed.

1282. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Department of Commerce, amounting to \$18,000 for the fiscal year 1938 and \$96,500 for the fiscal year 1939 (H. Doc. No. 613); to the Committee on Appropriations and ordered to be printed.

1283. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal years 1938 and 1939 amounting to \$666,350, and five drafts of proposed provisions pertaining to existing appropriations for the Department of State (H. Doc. No. 614); to the Committee on Appropriations and ordered to be printed.

1284. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Bureau of the Budget for the fiscal year 1939, amounting to \$132,710 (H. Doc. No. 615); to the Committee on Appropriations and ordered to be printed.

1285. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Department of Labor, amounting to \$1,854,000 for the fiscal years 1937 and 1938 (H. Doc. No. 616); to the Committee on Appropriations and ordered to be printed.

1286. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 21, 1938, submitting a report, together with accompanying papers on reexamination of Intracoastal Waterway from Cape Fear River, N. C., to St. Johns River, Fla., with a view to determining whether the recommendation in regard to construction of bulkheads near Southport should be modified in any way at this time, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 4, 1938; to the Committee on Rivers and Harbors.

1287. A letter from the Acting Secretary of the Interior, transmitting one copy of several laws passed by the Municipal Council of St. Croix, and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

1288. A letter from the Acting Secretary of the Interior, transmitting a resolution passed by the Municipal Council of St. Thomas and St. John, Virgin Islands of the United States, and approved by the Acting Governor; to the Committee on Ways and Means.

1289. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Thomas and St. John, and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 484. Resolution providing for the sending of H. R. 1531, a bill extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, to conference; without amendment (Rept. No. 2256). Referred to the House Calendar.

Mr. SUMNERS of Texas: Committee on the Judiciary. S. 3691. An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia; with amendment (Rept. No. 2257). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STACK: A bill (H. R. 10480) to prohibit foreign propaganda in the United States; to the Committee on the Judiciary.

By Mr. CREAL: A bill (H. R. 10481) to amend the act entitled "An act for the retirement of employees in the classified civil service"; to the Committee on the Civil Service.

By Mr. DOXEY: A bill (H. R. 10482) to prohibit the unauthorized use of the name or insignia of the 4-H clubs, and for other purposes; to the Committee on Agriculture.

By Mr. MURDOCK of Arizona: A bill (H. R. 10483) providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Mines and Mining.

By Mr. MASSINGALE: A bill (H. R. 10484) to amend the Agricultural Adjustment Act of 1938, as amended, providing for the reapportionment of cotton-acreage allotments not planted by farmers to which such allotments have been made; to the Committee on Agriculture.

By Mr. McCORMACK: A bill (H. R. 10485) to provide for weekly pay days for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. McGEHEE: A bill (H. R. 10486) to extend the time for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Miss., and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of New Jersey: A bill (H. R. 10487) to fix the maximum rate of interest on loans secured by Government life-insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. CLARK of Idaho: A bill (H. R. 10488) to provide for allowing to the Gem Irrigation District and Ontario-Nyssa Irrigation District of the Owyhee project terms and payment dates for charges deferred under the reclamation moratorium acts similar to those applicable to the deferred construction charges of other projects under said acts, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. WHITE of Idaho: A bill (H. R. 10489) authorizing the construction of a weir at Yellowstone Lake and a tunnel for the diversion of water from such lake to a tributary of the Snake River; to the Committee on Irrigation and Reclamation.

By Mr. DOUGHTON (by request): A bill (H. R. 10490) to provide revenue for the government of the Virgin Islands, to equalize taxation in the Virgin Islands, and for other purposes; to the Committee on Ways and Means.

By Mr. IZAC: A bill (H. R. 10491) to extend the provisions of section 3255 of the Revised Statutes to cantaloupes; to the Committee on Ways and Means.

By Mr. PHILLIPS: A bill (H. R. 10492) to provide for the establishment of fair labor standards in employments in and affecting interstate or foreign commerce, and for other purposes; to the Committee on Labor.

By Mr. EICHER: Resolution (H. Res. 485) to make H. R. 8894, a bill to establish fair labor and farm standards, a special order of business; to the Committee on Rules.

By Mr. CARTWRIGHT: Joint resolution (H. J. Res. 669) to create a National Highway Safety Committee and an advisory board thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTSON: Concurrent resolution (H. Con. Res. 49) relative to the tax on distilled spirits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE: A bill (H. R. 10493) for the relief of Steve Soulis; to the Committee on Claims.

By Mr. CASE of South Dakota: A bill (H. R. 10494) granting a pension to Daniel Webster; to the Committee on Pensions.

By Mr. EICHER: A bill (H. R. 10495) granting an increase of pension to Sarah C. Murray; to the Committee on Invalid Pensions.

By Mr. GEHRMANN: A bill (H. R. 10496) for the relief of Otis M. Culver, Samuel E. Abbey, and Joseph Reger; to the Committee on Military Affairs.

By Mr. JACOBSEN: A bill (H. R. 10497) conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Wisconsin Bridge & Iron Co.; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 10498) granting a pension to Agnes Helen Van Horn; to the Committee on Invalid Pensions.

By Mr. MANSFIELD: A bill (H. R. 10499) for the relief of John L. Morkovsky, and the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased; to the Committee on Claims.

By Mr. MAY (by request): A bill (H. R. 10500) to authorize certain officers of the United States Army to accept such

medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered; to the Committee on Military Affairs.

By Mr. MEEKS: A bill (H. R. 10501) for the relief of Horace G. Leath; to the Committee on Military Affairs.

By Mr. O'TOOLE: A bill (H. R. 10502) for the relief of Isaac Zaremsky; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4972. By Mr. BOYLAN of New York: Resolutions passed by the locals in region No. 1 of the United Automobile Workers of America, comprised of all Eastern States, including New York State, favoring the immediate enactment of the wage and hour bill; to the Committee on Rules.

4973. By Mr. CITRON: Petition of various members of the First Congregational Church School of West Haven, Conn., regarding peace and friendly relations with other nations; to the Committee on Foreign Affairs.

4974. By Mr. CROWTHER: Petition of the United Locomotive Workers Union, Jewish Community Center, Spanish Societies Confederated Branch of Schenectady, International Relations Club of Union College, Association of Lithuanian Workers, Workers' Alliance of New York State, all of Schenectady, N. Y., urging favorable action on the O'Connell amendment to House Joint Resolution 527; to the Committee on Foreign Affairs.

4975. By Mr. CURLEY: Petition of State, County, and Municipal Workers of America, Local 16, New York City, urging passage of the wage and hour bill; to the Committee on Labor.

4976. By Mr. JENKS of New Hampshire: Resolution of the General Welfare Club, No. 1, Laconia, N. H., urging the enactment of the General Welfare Act (H. R. 4199); to the Committee on Ways and Means.

4977. By Mr. LUTHER A. JOHNSON: Petition of Col. Ike Ashburn, of College Station, Tex., favoring House bill 10140; to the Committee on Rules.

4978. By Mr. KRAMER: Resolution of the Council of the City of Los Angeles, relative to Federal aid to States for highway purposes; to the Committee on Appropriations.

4979. Also, resolution of the Democratic Central Committee of Los Angeles County, relative to the San Jacinto tunnel controversy; to the Committee on Rivers and Harbors.

4980. By Mr. KEOGH: Petition of Rudolf Malchin, Rudolph Knitting Mills, Inc., Brooklyn, N. Y., concerning the Robinson-Patman chain store bill; to the Committee on Interstate and Foreign Commerce.

4981. Also, petition of the New York League of Women Voters, New York City, concerning the Copeland food, drug, and cosmetic bill (S. 5); to the Committee on Interstate and Foreign Commerce.

4982. Also, petition of Brooklyn Lodge, No. 2, Jewish War Veterans of the United States, Brooklyn, N. Y., concerning House bill 8099, the Tariff Act; to the Committee on Ways and Means.

4983. By Mr. MERRITT: Resolution of the Common Council of the City of Oswego, N. Y., favoring the enactment of the wage and hour bill; to the Committee on Labor.

4984. By Mr. REES of Kansas: Petition of Rev. E. M. Nunally, of Talmage, Kans., favoring legislation to control advertising of alcoholic beverages by press and radio; to the Committee on Interstate and Foreign Commerce.

4985. By the SPEAKER: Petition of the Central Labor Union of Philadelphia, Pa., petitioning consideration of the President's recovery program; to the Committee on Appropriations.

4986. Also, petition of Comitato Italiano Per La Difesa Degli Immigrati, New York, N. Y., petitioning Congress concerning discrimination against the foreign-born; to the Committee on Appropriations.

4987. Also, petition of the city of Milwaukee, Wis., petitioning consideration of their resolution dated April 25, 1938, with reference to Federal income tax; to the Committee on Ways and Means.

SENATE

TUESDAY, MAY 3, 1938

(Legislative day of Wednesday, April 20, 1938)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, May 2, 1938, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. Mr. President, looking over the Chamber, I observe that there is a slight lack of a quorum. Therefore, I make the point of no quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Colo.	O'Mahoney
Andrews	Connally	King	Overton
Ashurst	Copeland	La Follette	Pittman
Austin	Davis	Lee	Pope
Bailey	Donahay	Lewis	Radcliffe
Bankhead	Duffy	Lodge	Reynolds
Barkley	Ellender	Logan	Russell
Berry	Frazier	Loneragan	Schwartz
Bilbo	George	Lundeen	Schwellenbach
Bone	Gerry	McAdoo	Sheppard
Borah	Gibson	McCarran	Shipstead
Bridges	Gillette	McGill	Smathers
Brown, Mich.	Glass	McKellar	Smith
Brown, N. H.	Green	McNary	Thomas, Okla.
Bulkley	Guffey	Maloney	Thomas, Utah
Bulow	Hale	Miller	Townsend
Burke	Harrison	Milton	Truman
Byrd	Hatch	Minton	Tydings
Byrnes	Hayden	Murray	Vandenberg
Capper	Herring	Neely	Van Nuys
Caraway	Hitchcock	Norris	Walsh
Chavez	Holt	Nye	White

Mr. LEWIS. I announce that the Senator from Delaware [Mr. HUGHES] and the Senator from Oregon [Mr. REAMES] are detained from the Senate because of illness.

The Senator from Illinois [Mr. DIETERICH], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. PEPPER], and the Senator from New York [Mr. WAGNER] are detained on important public business.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

Mr. McNARY. I announce that the Senator from California [Mr. JOHNSON] is necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

D. M. LIPSCOMB V. THE UNITED STATES

The VICE PRESIDENT laid before the Senate a letter from the Chief Clerk of the Court of Claims of the United States, transmitting a certified copy of the special findings of fact and opinion of the court in the case of D. M. Lipscomb, sole surviving trustee of Ninety Six Oil Mill against The United States, No. 17529 Congressional, which, with the accompanying paper, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

Mr. WALSH presented the following resolutions of the General Court of Massachusetts, which were ordered to lie on the table:

RESOLUTIONS MEMORIALIZING CONGRESS IN FAVOR OF RATIFICATION OF THE INTERSTATE FLOOD-CONTROL COMPACTS

Whereas this Commonwealth has accomplished through legislative, executive, and interstate compacts action contemplating flood control, adhering strictly to the Federal Flood Control Act of 1936; and

Whereas these compacts have been prepared one with New Hampshire, Vermont, and Connecticut providing for an eight-reser-